
O P E N I N G

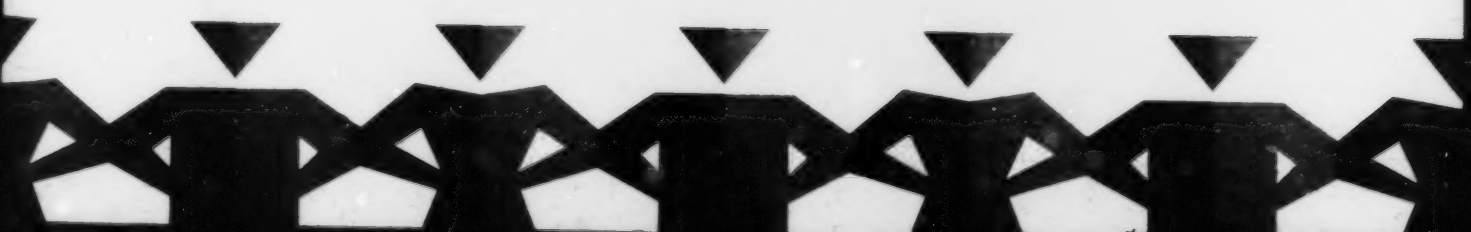
D O O R S :

A report on the
Employment Equity
Consultations



Ontario

Office of the
Employment Equity
Commissioner





O P E N I N G

D O O R S :

A report on the Employment Equity Consultations

The Office of the Employment Equity Commissioner
77 Bloor Street West, 10th Floor
Toronto, Ontario M7A 2R9

Published by the Ministry of Citizenship.
Printed by the Queen's Printer for Ontario.
Province of Ontario, Toronto, Canada.

© 1992, Queen's Printer for Ontario.

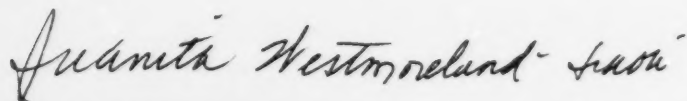
ISBN 0-7778-0059-4
D2626 06/92 20M Rev.

The Honourable Elaine Ziemba
Minister of Citizenship
77 Bloor Street West, 5th Floor
Toronto, Ontario
M7A 2R9

Dear Minister:

I am pleased to submit "Opening Doors", the report of the public consultations on the structure and implementation of employment equity legislation. This report recounts the valuable information and recommendations received during the consultations; my recommendations have been transmitted directly to government and have contributed to the employment equity legislation to be introduced into the Ontario Legislature.

Sincerely,

A handwritten signature in cursive script, reading "Juanita Westmoreland-Traoré".

Juanita Westmoreland-Traoré
Commissioner

June 1992

■ TABLE OF CONTENTS

1. INTRODUCTION	1
2. THE IMPORTANCE OF EMPLOYMENT EQUITY TO ONTARIO	3
3. A COMMITMENT TO EMPLOYMENT EQUITY.....	10
4. PARTNERS IN EMPLOYMENT EQUITY	14
5. ADMINISTRATIVE STRUCTURES	44
6. PUTTING EQUITY INTO PRACTICE	48
7. EMPLOYMENT EQUITY AND THE COMMUNITY.....	62
8. LOOKING TOWARD THE FUTURE	66
9. APPENDICES	
A: THE CONSULTATIVE PROCESS	67
B: SUBMISSIONS TO THE PUBLIC CONSULTATIONS.....	70
C: COVERAGE OF EMPLOYERS & EMPLOYEES	81

■ 1. INTRODUCTION

"Why don't they give us a chance?"

INDIVIDUAL PRESENTATION, WINDSOR

"The issue here is nothing less than the creation of a just society where all are given an equal and unencumbered opportunity to contribute to the best of their ability."

CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1000

"Enlightened employers recognize the competitive advantage of having employment systems that encourage the best and the brightest...As such, they are already backing initiatives to encourage bias-free human resource practices and the inclusion of talented people of all sorts in the workplace."

BUSINESS CONSORTIUM ON EMPLOYMENT EQUITY

This report on the process and results of employment equity consultations held across Ontario is somewhat unusual. While it relates the themes, issues and concerns of the many people who participated in the consultations, the report does not contain recommendations. Instead, recommendations arising from the consultations directly contributed to the development of the employment equity legislation which is being introduced simultaneously with publication of this report.

Throughout the consultations, participants said that they wanted to see employment equity legislation introduced without further delay. In response, our priority was communicating the results of the consultations to government and preparing the legislative framework. This consultation report is guided by the need to make employment equity both fair and effective for members of designated groups. At the same time, recognizing that employment equity will only contribute to the shared prosperity of all Ontarians if it is workable, careful attention was paid to the employers who ultimately will be responsible for implementation, and to others such as unions who will participate in the process.

Throughout the consultations, we heard many voices from all segments and sectors of Ontario society who were committed to achieving employment equity. It is vital to acknowledge their tireless work and the dedication of individuals and members of designated groups, advocacy groups, unionized and non-unionized employees, employers, service providers and concerned governments.

CONSULTATION ADVISORY COMMITTEE

The Office of the Employment Equity Commissioner gratefully acknowledges the contributions and dedication of the members of the Consultation Advisory Committee.

Ms. Akua Benjamin
Ryerson Polytechnical Institute

Ms. Judith Andrew
CFIB

Ms. Andrée Côté
Programme de contestation judiciaire

Ms. Colleen Evetts
Fanshawe College Equity Department

Mr. Bill Frakes
Unilever Canada Limited

Ms. Phyllis Gordon
Parkdale Community Legal Clinic

Ms. Ada Hill
Federation of Women Teachers' Association

Dr. Harish Jain
Michael deGroots School of Business
McMaster University

Mr. David Lepofsky
Ministry of the Attorney General

Ms. Sylvia Maracle
Ontario Federation of Indian Friendship
Centres

Ms. Carol McGregor
Disabled Person for Employment Equity

Mr. Dan McIntyre
Race Relations and Policing Unit
Ministry of the Solicitor General

Ms. Judy Rebick
National Action Committee on the Status of
Women

Ms. Mary-Woo Sims
The Municipality of Metropolitan Toronto

Ms. Fern Stimpson
Manulife Financial

Ms. June Veacock
Ontario Federation of Labour

■ 2. THE IMPORTANCE OF EMPLOYMENT EQUITY TO ONTARIO

The introduction of employment equity legislation is an important step towards fairness and equality in the workplace. Throughout the months of consultations, we heard again and again of the frustration of people who, because of hidden barriers and discrimination, have been denied jobs, have toiled in low paying and low status jobs, or have been unable to make any progress in the workplace. For them, employment equity means simple justice that is long overdue.

The need for employment equity is urgent. We were told repeatedly that members of designated groups should not be, and indeed are not, willing to wait any longer to take their rightful place in the workforce. Nowhere was this sense of urgency felt more strongly than among the young people who came to make presentations during the consultations.

The stories participants told us reinforced this sense of urgency:

- Women teachers told us of their persistence over many years to become school principals and supervisors. They see their progress as agonizingly slow, and at times, they feel that they have lost ground.
- A determined young woman with a disability told us of her struggle to get an education in social work. After overcoming many obstacles to becoming qualified, she was then unable to find employment that would put her hard-won education and skills to use. Her frustration at being forced to the sidelines, unable to make a contribution to her community or to pay back what she had received through education, was enormous.
- A young African-Canadian woman student, frustrated by seeing racist graffiti written outside her student housing, became active in working against racism. As a result, one of her professors discouraged her by predicting, rightly or wrongly, that her academic work will suffer.

- An Aboriginal man was hired to provide employment counselling to other Aboriginal workers. Because of his specialized knowledge, his employers gave him the title of "specialist" instead of the usual "counsellor." The other counsellors were so openly resentful that it was necessary to change the title back to "counsellor" to keep peace in the workplace.

As a province, Ontario cannot afford to delay employment equity. By the year 2003, over 80% of new entrants to the work force will come from the four equity-seeking groups of Aboriginal Peoples, persons with disabilities, racial minorities and women. We need all their skills and abilities.

For many people, employment equity does bring hope. This hope is a realistic optimism that at long last positive, concrete action is being taken to produce solid, measurable results. For the Aboriginal Peoples of Ontario, persons with disabilities, racial minorities and women, employment equity legislation means that practical steps are being taken to ensure that their place in the labour force is recognized for its just value. They will be evaluated, like others, because of their abilities, skills and potential. They will be treated as equals. They will be able to earn a decent salary.

One of the rewarding and invigorating aspects of the consultations was the strong support among employers for the principles of employment equity. They repeatedly stated their commitment to hiring qualified and talented employees. They told us that employment equity will make Ontario's businesses more productive and competitive in a global marketplace. There was, therefore, agreement on the need for equity, even if there was little agreement on the part of many employers with the need for legislation. Since employers, along with other social partners, have a vital role to play in the implementation of employment equity, it was heartening nevertheless to hear their commitment to achieving employment equity.

Unions, experienced in fighting for employment equity, expressed from the very beginning of the consultations, and consistently throughout, support for strong mandatory legislation. They were willing to look hard at the important question of seniority provisions. Unions also stressed the need for employment equity

because measures such as child care and anti-harassment will benefit all employees in the workplace.

There is ever-growing awareness that the face of the labour force in Ontario is changing. This has many implications for the society in general and the workplace in particular. As we heard repeatedly throughout the consultations, voluntary efforts to meet the challenges of this diversity have had only limited success. Goodwill and good intentions have not brought about the overall changes that are necessary and fair.

Employment equity will benefit all Ontarians. As more individuals of designated groups have the opportunity to find remunerative work, they will be less reliant on social assistance, reducing the overall costs for these programs. A renewed emphasis on training will improve productivity and employee morale. As more people join the labour force, the number of consumers will grow, as will confidence in our economy.

Employment equity is not a social panacea. However, it is a step forward. Employment equity helps to create a community where all members of our society are able to contribute more fully and reap the benefits of their work. More important, it encourages dignity and mutual respect among all workers and a more harmonious society in which to live our daily lives.

The Changing Workforce

We live in a period when change is constant and rapid. Major shifts are taking place both globally and within Canada. These changes have a great impact on the workforce.

Around the world, a significant proportion of countries will have racially and culturally diverse populations. Canada has always had a diverse population, but the trend is more pronounced today. The largest percentage of Canadians are now of neither French nor English descent, nor a combination of the two. Among industrialized countries, Canada has one of the largest foreign-born populations with fully 16% from outside the country.

Alongside this increasing cultural and racial diversity is another powerful force: women's quest for equality. The profound change in

women's roles has been described as the most fundamental revolution of the twentieth century. In Ontario, women now make up almost half of the paid workforce, and a majority of women with young children work full-time.

Persons with disabilities are challenging social myths and employment practices which have denied their right to equality in the workforce and other areas. Largely as a result of their own efforts and persistence, persons with disabilities are taking their place in the workforce in increasing numbers, in spite of limited access, discrimination and lack of job accommodation.

Aboriginal Peoples are the fastest-growing population in Canada. They also have the highest percentage of young people. These two factors, together with the renewed political impetus among First Nations, are bringing more and more Aboriginal people into new employment settings both in Aboriginal and public or broader public sector institutions.

Within each of these groups are those such as Aboriginal women, women with disabilities or racial minority women who face compounded disadvantages because of their membership in more than one group. In addition, some groups, such as people of African and Caribbean descent, must deal with persistent stigmatization and stereotyping.

For All Employees

The intent of employment equity is to unite, not divide; to integrate, not segregate. Employment equity legislation ensures that the rights of all workers are taken into account. No longer should any Ontarian feel that doors are closed to her or to him. Rather, that each of us has the right and opportunity to aspire to and work towards challenging and fulfilling employment.

There will inevitably be some people in the workplace who are apprehensive about the introduction of employment equity. They will be concerned about what it will mean to them, to their job security and to their opportunities to advance. It is essential to the successful implementation of employment equity that all workers understand its purposes and principles.

The participation of employees, both as union members and non-unionized workers, will be essential to achieving employment equity. Many unions have been pioneers in advocating for and working with employment equity initiatives. All their members, including those in designated groups, have seen benefits in a workplace that puts more emphasis on training, provides supports such as family leave, and encourages an environment free of harassment and discrimination.

A fundamental tenet of the use of positive measures to increase opportunities for designated groups is that they are temporary, justified only as long as the inequalities exist. Once the scales have been balanced, they are no longer necessary nor legitimate.

In the role of protecting the rights of their members, unions are concerned about losing hard-won provisions such as seniority rights. At the same time, they recognize that when barriers to employment equity are identified, they must be dismantled. Unions are aware that they must look at their own structures and practices to ensure that they too meet the principles of equity.

Non-unionized employees are among the most vulnerable of workers. For these workers, both those who are members of designated groups and other employees, education about employment equity and advocacy will be essential to ensure their meaningful participation in the process at hand.

The Challenge to Employers

The widespread changes in the composition of the workforce present new challenges to employers. Some have resisted these changes, but others have already begun to look at eliminating the problem of systemic discrimination in their own workplaces.

Systemic discrimination is undercover discrimination: it consists of practices which appear neutral but which have a disproportionately negative effect on some groups without being legitimate requirements of the job.

There may be legitimate requirements which act as barriers for members of designated groups. For example, the requirement for hard hats on construction sites is a legitimate requirement which

creates a barrier for those racial minorities who cannot, by religion or custom, wear them. In these circumstances, the Ontario *Human Rights Code, 1981* requires that employers attempt to accommodate the members of designated groups.

Some employment practices appear benign. They are simply the way things have always been done. For example, word-of-mouth hiring, when the workplace is not representative, can be a barrier to many groups. Businesses who have prided themselves on being "one big family" must now reach out to extend that family circle to the members of those groups who have been excluded for too long.

Employers repeatedly told us that recruiting and retaining qualified employees are priorities for any business. Employment equity helps to achieve that by enlarging the pool of qualified candidates and encouraging a workplace that is harmonious and respectful. A diversified workplace is also an asset that could lead to new services or products, new customers and an increased ability to compete in a global marketplace.

Employment equity also fits into the larger employment strategy of improving education and training for workers. It places a new importance on education, on skills training and access to apprenticeship, access to professional associations, and the recognition of relevant experience.

Many employers recognize the benefits of employment equity, but they are apprehensive about over-regulation and government intrusion in their operations. They fear that any excessive administrative burden will mean more time spent on paperwork than on actually changing the workplace to implement employment equity. Many presenters from designated groups shared this concern. Often, employers are disturbed by what they perceive to be the costs of implementation. They feel these costs should be shared with other partners, particularly government.

At the same time, many employers know that discrimination and harassment in the workplace has a tremendous cost. It can mean increased absenteeism, employee turnover and unnecessary loss of productivity. Employment equity, which works to eliminate this

discrimination and harassment, can lead then to a more stable workforce and increased satisfaction and productivity.

In difficult economic times, it is understandable that employers are concerned about the financial costs of implementing employment equity. However, as many employers now realize, these costs are offset by savings in personnel costs.

Maintenance costs are minimal compared to the advantages gained because of better planning and investment in human resources. Like other management practices such as total quality management, employment equity has benefits all across the board. Employers, who share the responsibility for implementing employment equity, are essential partners in working to achieve this important goal.

■ 3. A COMMITMENT TO EMPLOYMENT EQUITY

"We cannot afford to lose the skills and abilities of Ontario's population because of discrimination. My government is fully committed to both employment equity and pay equity."

SPEECH FROM THE THRONE, NOVEMBER 20, 1990

What Is Employment Equity?

Employment equity means justice for all working people. Its aim is both to overcome the discrimination which keeps some groups from being hired or promoted according to their abilities, and to remove barriers that prevent fair and equitable hiring, promotion, and training opportunities for all workers. It involves a broad process that implies changing the way we think about the workplace.

In the next decade, members of the designated groups—Aboriginal Peoples, people with disabilities, racial minorities and women—will account for most of the new entrants to the labour force. Employment equity legislation will provide a solid framework to support this new workforce. It will affect current policies and practices that unfairly bar people from equal opportunities to be hired, trained or promoted.

Many barriers are systemic, that is, they are practices and policies that look neutral but actually have a negative effect on members of designated groups and are not related to actual job requirements. These kinds of barriers are not disappearing despite existing laws and voluntary efforts.

Employment equity changes the workplace by identifying and eliminating those barriers. The barriers vary from workplace to workplace, but once they are identified, an employment equity plan outlines the measures to remove them. Employment equity leads to employment policies and practices which benefit all workers.

The goal of employment equity is fair treatment of members of designated groups and equitable representation throughout the workplace. Equitable representation depends on a number of things

including: the number of designated group members in the working age population in a certain geographic area, the number of trained or skilled members of designated groups who are job ready or can be readily available, and the opportunities for change in each workplace.

Measurable goals, including numerical goals and timetables, are key parts of employment equity. They are used to plan and measure progress. Numerical goals may change over time as circumstances change in the workplace and labour force. Timetables will help employers to achieve an equitable representation in the workforce. Many workplaces will also need to implement other measures such as anti-harassment and cross-cultural training to create a work environment that is supportive for members of designated groups.

Employment equity is more than equitable representation in the work force. There are measures of equality that have been developed and used in Ontario which will allow us to see if employment equity efforts are effective.

As illustration, the Municipality of Metropolitan Toronto has defined six measures of equality: representation of designated groups in the workforce; their range of occupation choice in the workplace; the authority and decision making ability of members of designated groups; their job security and tenure; employment conditions; and finally pay and benefits for designated groups.

These six measures of the results of employment equity implementation provide one way of evaluating our progress. The experiences and satisfaction of members of designated groups will also guide us in judging how far we have come in achieving employment equity.

Making Progress

Since the 1950s, successive governments in Ontario have attempted to end discrimination in the workplace. The provincial government recognized that voluntary efforts have not significantly changed patterns of discrimination. In 1985, work began toward proactive pay equity and employment equity legislation.

In 1988, the Ministry of Citizenship was given responsibility for developing an employment equity strategy for Ontario. In 1989,

initial consultations were held to develop an approach to employment equity for the province. Advocacy groups and organized labour continued to press for mandatory employment equity legislation. Subsequently, the leader of the NDP official opposition introduced *The Employment Equity Act, 1990*, as a Private Members Bill.

In the Speech from the Throne, November 20, 1990, the new Government of Ontario made the following commitment:

"After consultation, we will introduce employment equity legislation. We are confident the Ontario economy can provide equity for its citizens, while ensuring a fair level of profitability for its business."

In December 1990, the government proclaimed the *Police Services Act* which required police services to develop employment equity plans. Under this Act, an employment equity regulation passed in April 1991 established the first legislated standards for numerical and qualitative goals and timetables in an employment equity plan in Ontario.

The government moved forward on the Throne Speech commitment in March 1991 when Employment Equity Commissioner, Juanita Westmoreland-Traoré, was appointed by Order-in-Council. The Commissioner's mandate is to conduct consultations and to advise government on the implementation and structural issues of employment equity legislation. She will continue consultations, advise government on the development and implementation of mandatory employment equity regulations, and co-ordinate inter-ministerial committees, technical committees and public education strategies.

In May 1991, the government strengthened its own employment equity plan for the Ontario Public Service and allocated additional resources for this purpose.

Consultations on employment equity took place across the province from November 1991 through until March 1992 under the direction of the Employment Equity Commissioner. The consultative process was made up of both formal and informal

components. In informal meetings, the Commissioner met with more than 100 groups. The formal process included distribution of a discussion paper, public hearings in nine cities, joint initiatives with twenty-five organizations, special meetings with participants from Aboriginal communities, a mail survey, technical seminars and consultation with the construction industry. Over 400 written submissions were received as part of this process.

A Firm Commitment

The Government of Ontario recognizes that employment equity promotes the fundamental right to equality and human dignity. Employment equity is consistent with Canada's obligations under international conventions on eliminating racial and gender discrimination. The need for special programs to overcome disadvantage is recognized by the *Canadian Charter of Rights and Freedoms* as well as Ontario's *Human Rights Code, 1981*.

In moving forward on employment equity legislation, the Government of Ontario made four major decisions which set the framework for consultation:

- Employment equity will be legislated: it will be passed as a law by government.
- Employment equity will designate four specific groups: Aboriginal Peoples, persons with disabilities, racial minorities and women.
- Employment equity will cover three sectors: the public sector including the Ontario Public Service, the broader public sector, and the private sector.
- Employment equity will be mandatory: it will be compulsory for employers to comply with the law and an effective way of enforcing the law will be put in place.

■ 4. PARTNERS IN EMPLOYMENT EQUITY

To achieve employment equity, we need to have working partnerships among groups—employers, unions, employees, members of designated groups, advocacy groups, government agencies and community groups. All partners must be committed to working constructively together to ensure the successful implementation of employment equity legislation. One mechanism that was supported during consultations was the establishment of an independent, well-resourced employment equity commission.

This proposed employment equity commission has a special role to play in fostering these partnerships. More than that, the commission itself must set an example by working closely and in innovative ways with its partners. The nature of these partnerships will differ from one partner to another.

By working independently with community groups, advocacy groups, designated group members, employers and unions, the commission will be able to develop joint initiatives and community-based solutions. The many hands and minds of these groups will multiply the reach and effectiveness of commission resources. The relationship between commission and groups will make sure that the work of the commission continues to be relevant to the diverse needs of Ontario's many communities.

These kinds of partnerships will take both time and active participation by the commission, and all the partners must be sensitive to the many demands on the commission.

Recognizing that employers and unions must participate in the complex job of implementing employment equity, the commission will encourage and develop ways of sharing information and expertise among the partners in employment equity, by building bridges among employers, employees, government agencies and representatives of designated groups.

■ A. The Vision of Equity Seekers

"In terms of dignity and self-worth, the value to designated group members of being able to work at levels commensurate with one's abilities is immeasurable."

ALLIANCE FOR EMPLOYMENT EQUITY

Of the many voices heard throughout the consultation period, the most moving were the voices of the equity seekers. We have deliberately used the term "equity seekers" here to represent the people who came to the consultations wanting to achieve employment equity. These included members of designated groups, advocacy groups, community groups and individuals, as well as representatives of business and industry. They voiced many different approaches to realizing that goal.

Among these people were the men and women, full of the desire and commitment to work, whose skills and abilities continue to be wasted because of the barriers they face. It is their stories and their faces that we will remember.

Prior to consultation, the Government of Ontario decided that employment equity legislation would cover four designated groups—Aboriginal Peoples, persons with disabilities, racial minorities and women. Members of these groups participated actively in the consultations, along with representatives of other groups who wished to be included in employment equity legislation, such as Francophones and lesbians and gay men.

Aboriginal Peoples

"The educational and social support institutions have failed to reflect both the reality of the Aboriginal presence in the community and the needs of that community. These failures contribute significantly to the disempowerment of the Aboriginal community. We have been robbed of the education, training and skills to compete on an equal basis in the job market."

NOKEE KWE OCCUPATION SKILLS DEVELOPMENT INC.

Aboriginal Peoples have a special and distinct historical and legal relationship to governments in Canada. This relationship is recognized by the Government of Ontario in the Statement of Political Relationship. Because of this agreement and the unique values and circumstances of the Aboriginal Peoples, special legislative provisions are indicated in developing employment equity legislation jointly with Aboriginal leadership.

Themes from the Consultations

In addition to individual and group presentations during public hearings, community visits and informal meetings were held with Aboriginal organizations and individual representatives from Sioux Lookout to Akwasasne and in urban centres across the province. Joint initiatives were carried out with three Aboriginal organizations. The Employment Equity Commissioner also listened to and discussed Aboriginal concerns about employment equity on a phone-in talk show with Wawatay Radio Network in Northern Ontario.

The meetings with Aboriginal participants reflected a general sense of agreement and support for the principles of employment equity. However, participants were quick to point out what employment equity entails for them. In many Aboriginal communities, where little employment is available, employment equity will be meaningless without community development.

Employment equity is not viewed simply as a means of acquiring improved employment opportunities for individuals. It is viewed within the context of community development, as a means of strengthening Aboriginal communities both on and off reserves. It is directly linked to education and training opportunities as well as economic and social development. To respond to the needs of Aboriginal communities, employment equity must also be reflective of Aboriginal culture and political identity.

Employment equity for Aboriginal workers raises many questions. As Aboriginal Peoples assert their right to control their social, political and economic lives, it is increasingly important to establish constructive and flexible partnerships with Aboriginal communities. Many participants felt that given the size and location of many

Aboriginal communities and the limitations on economic and human resources, the needs of all communities could probably not be addressed by one generic approach in the legislation. They recommended a variety of approaches to meet these diverse needs.

In Aboriginal communities, employment and apprenticeship opportunities are often extremely limited. On many reserves, the only employment is found with Band councils. Therefore, job creation strategies and economic development programs will be necessary foundations for building employment equity.

There was also strong emphasis on the critical need for education equity for Aboriginal Peoples as a prerequisite to employment equity. While some post-secondary institutions have programs designed for Aboriginal students, most schools and training centres still fail to take into account Aboriginal history and culture.

Participants from Aboriginal communities stressed the need for community-based and controlled educational institutions, particularly post-secondary colleges and universities, as well as employment and skills training programs, including apprenticeship programs. They also identified a need for employment-readiness training, including resume writing, interview skills, and counselling to build confidence. Participants recommended that a specified number of government internship programs be reserved for Aboriginal candidates.

On several occasions, the issue of off-reserve housing shortages for students was raised as a major difficulty. Distance, over-crowding or excessive cost aggravate the difficulties of Aboriginal students who are young and unfamiliar with an urban environment, as well as mainstream culture.

Social issues stemming directly from racism and poverty have created disabling problems of low self-esteem and violence in communities. Aboriginal participants felt that these problems also must be addressed.

Both on and off reserve, Aboriginal workers face ingrained discriminatory practices. Women in particular are routinely passed over for training or employment. Outside companies often bring in workers rather than offer training to Aboriginal workers. Many

participants pointed out that Aboriginal-run businesses and institutions are not immune from discriminatory practices.

Some government training programs place obstacles in the path of Aboriginal workers because of requirements relating to unemployment status. While these criteria have been identified as barriers to many workers, they are particularly detrimental to Aboriginal workers who are often fighting other obstacles at the same time. According to participants, training and apprenticeship programs should be co-ordinated or integrated into the Joint Ontario Training Advisory Board-Pathways initiatives in order to improve their effectiveness.

The requirement for French language facility is another barrier for many Aboriginal Peoples who may already be using English as a second language. In recognition of the historic status of Aboriginal Peoples, and as a positive measure, French language requirements could be reviewed as a barrier to Aboriginal recruits.

Participants in the consultations raised the question of treaty rights to tax exemption. Many Aboriginal Peoples would not see employment equity as fair if tax exemptions are not studied.

Although access to training is difficult, employment scarce and jobs hard to obtain, the climate in many workplaces is so difficult that many Aboriginal workers would rather leave than remain in a workplace where they are too often harassed, insulted or simply overlooked.

Support systems are critical. Several participants referred to the need to hire more than one Aboriginal employee in order to provide this support. These changes will often lead to a better climate throughout the whole workplace. Anti-harassment policies as well as cross-cultural training challenge hidden prejudices and stereotypes relating to gender, age, sexual orientation, religion, race and many other biases.

Aboriginal participants pointed out that they have benefitted most from programs designed by and for them. The principle of employment equity had the support of Aboriginal participants provided that it is developed in a manner consistent with the goals of self-government. It must reflect a holistic approach addressing issues of education, training, social and economic development and cultural identity. It

must serve to help strengthen Aboriginal communities and further Aboriginal self-government. It therefore must be created by Aboriginal people, for Aboriginal people, in partnership with government.

Persons with Disabilities

"Winston Churchill said that a society should be judged on how it treats its most disadvantaged people. For employment equity to achieve what it sets out to do, that is fairness and fairness for all, the legislation which comes about must not just assist the least disabled in our community."

INDIVIDUAL PRESENTATION, TORONTO

Persons with disabilities now make up almost 14% of the Canadian population. Many of these qualified, skilled individuals face significant barriers to employment and advancement in spite of voluntary employment equity programs. The situation is even more difficult for persons with severe disabilities or those who require accommodation or long-term, resource-intensive help.

Persons with disabilities do not make up a homogeneous group. There is a wide range of skills and abilities among each portion of the disability community. The key is an individual approach which takes into account the specifics of the job applicant and the job requirements. The challenges for persons with learning disabilities cannot be met by policies designed to benefit persons in wheelchairs or those with impaired vision.

Many persons with disabilities see themselves not as disabled, but as differently abled. Some participants who are deaf or hearing impaired identify themselves as culturally and linguistically different, not disabled. They differ from hearing people in the way they communicate.

Persons with disabilities have challenged social and employment practices which effectively deny their right to equality and a decent standard of living. Their right to job accommodation and equal access to services and housing has been recognized by the courts, but their role in the workplace is still limited by both attitudinal barriers and discriminatory practices, as well as by a lack of

effective and timely job accommodation. In addition, factors outside the workplace such as lack of transportation, loss of drug benefits and absence of education equity also limit opportunities. Nevertheless, persons with disabilities are more present in the workplace today, largely due to better organization and assertiveness on their part.

Three employment equity issues of vital concern to persons with disabilities are the definition of the term "disability," voluntary self-identification and job accommodation measures.

At the provincial and federal levels, the definitions of disability vary according to specific pieces of legislation. This has implications for data collection and employment equity planning.

The right to voluntary identification for purposes of data collection and reporting lets individuals choose if they wish to self-identify as persons with disabilities. This right is at the heart of the concern of designated group members for respect for their privacy and dignity as individuals.

For many persons with disabilities, job accommodation measures often are the vital difference between work and unemployment. Most often, job accommodation measures may have minimal cost, such as the provision of software for persons with limited vision. However, other measures might require a substantial financial outlay (i.e. installing an elevator or providing payment for a personal attendant.) Persons with disabilities recommend that the government provide incentives for accommodation such as information, technical advice and tax breaks so that employers will have the resources to provide job accommodation measures. Both self-identification and job accommodation measures are part of the process of implementing employment equity. Because it is a complex process, implementation is dealt with in detail in Chapter 5.

For persons with severe disabilities, present legislative initiatives have been particularly ineffective. Of interest for them is a recent study commissioned by the Office of the Employment Equity Commissioner. The study, done by David Baker, Executive Director of the Advocacy Resource Centre for the Handicapped, was on the German grant-levy system. This study underlines the need for

complementary employment measures capable of meeting the specific needs of persons with severe disabilities. This group of workers may not benefit from proposed employment equity legislation because of the nature of the barriers to employment that they face.

The grant-levy system requires public and private sector employers with at least 16 employees to have 6% of their employment positions filled by persons with severe disabilities. Employers who do not meet this goal are required to pay a monthly levy. The funds from the levy are used to promote the employment of persons with severe disabilities, including the provision of wage-subsidies and financial assistance for job accommodation to employers who are employing persons with severe disabilities.

Themes from the Consultations

Individuals and groups representing the issues and concerns of persons with disabilities during the consultations included among others, deaf and hearing impaired communities, the blind and visually impaired, the physically disabled and developmentally disabled, those injured during employment, advocacy groups, resource centres, service providers, students, professionals and workers.

Most of all, participants in the consultations want strong mandatory legislation implemented quickly. Some recommended quotas, particularly for persons with severe disabilities. This recommendation was motivated by the ineffectiveness of legislation in other jurisdictions for persons with severe disabilities.

There was support for incentives. Participants also wanted assistance to employers to promote compliance with employment equity legislation, in addition to strong sanctions for non-compliance. In particular, employers should have help in developing and implementing job accommodation measures.

Comprehensive employer, worker and public education and communication strategies were seen as vital. These strategies should include:

- education about the capabilities of persons with disabilities and about the objectives and values of employment equity

- employer education on assistive devices, job accommodation measures and how to get the assistance and resources to implement these measures
- mandatory training for employers and workers to sensitize them to persons with disabilities and to promote a supportive work environment for persons with disabilities and all workers.

Many specific recommendations were made on ways to break down barriers to education, training and employment. It is particularly important to increase access to skills-based training and training in remote communities.

Several participants in the consultations stated that, in some regions, smaller businesses provide many of the employment opportunities for persons with disabilities. Therefore, employment equity requirements should be sensitive to the needs and concerns of these smaller businesses. Finally, many related initiatives are needed to support employment equity for persons with disabilities. These include adequate transportation, affordable and accessible housing, review of income maintenance policies and practices, and funding for training programs for interpreters.

Racial Minorities

"This is a story of a six-year old child in a Toronto school where 60 per cent of the children were black but there was not a single black teacher. There was, however, a black janitor, there was a black lunch monitor and a teacher's aide..."

A researcher asked this very bright child what she wanted to be when she grew up and she said, 'Oh, I'm going to be a teacher's aide.' So the researcher said, 'Well, why not be a teacher?' 'Oh no,' she responded. 'I couldn't be a teacher. I'm a black person.'"

HARAMBEE ASSOCIATION, OTTAWA

By the year 2001, it is expected that of six million racial minorities in Canada, half will live in Ontario. Of these, three-quarters will be working age.

Racial minorities do not make up a homogeneous group. They include individuals and groups with different needs which in turn call for different responses. Some racial minorities are born here, some are immigrants. Some face particularly persistent stereotyping and prejudice.

Unfortunately, voluntary employment equity programs and affirmative action programs have not changed the pattern of unemployment or underemployment for many racial minorities. As a group, they are much more likely to be unemployed, underemployed or restricted to low-level, low-paying jobs.

Many people are doubly disadvantaged by being members of two designated groups. Racial minority women, in particular, face both sexual and racial harassment and discrimination. Too often, new immigrants who are racial minorities find that their academic or technical credentials, qualifications or work and volunteer experience are neither fully recognized nor valued.

Themes from the Consultations

Racial minorities of professional and skilled backgrounds told the consultations about the open and systemic discrimination they face in finding employment. In addition to these individuals, many racial minority organizations participated in consultations, as well as racial minorities who were members of other designated groups, including racial minority Francophones.

Racial minorities talked of different kinds of racism and its effects. They described attitudes which allow racial minorities to be hired only for certain kinds of jobs. Another form of racism is demonstrated by those who have limited expectations of them and discriminatory attitudes in evaluating their abilities and potential. These people are likely to see racial minority candidates as lacking experience or failing to "fit the corporate culture."

Finally, racial minorities talked of the racism which fails to recognize and value the history and cultures of racial minorities. This demeaning attitude, often found in school books, media and advertising, renders the contributions of racial minorities invisible to mainstream culture.

Racial minorities urged that anti-racist and anti-discrimination training and education should be a mandatory part of the legislation. Too often, the process of identifying racist practices is not understood by supervisors and co-workers. Racial minority employees, like other equity seekers, become vulnerable when they speak out on racist or discriminatory practices. They are further victimized and classified as troublemakers or radicals. Their complaints can then be conveniently disregarded.

Racial minority group members see education equity as vital to employment equity. They want to be represented equitably in training and education programs and all fields of study.

Those racial minorities who are also immigrants wanted to see action to implement the recommendations of the *Report on Access to Professions and Trades*. These recommendations would set quick and effective mechanisms in place for the assessment of prior learning and work experience of foreign-trained professionals.

Racial minorities also recommended partnerships between government and designated groups to monitor the effectiveness of the implementation and enforcement of employment equity legislation.

Women

"For women as a group, progress is glacial...for Aboriginal women, disabled women and visible minority women, there was no progress at all or negative progress."

NATIONAL ACTION COMMITTEE ON THE STATUS OF WOMEN

It has now been twenty years since the historic report of Florence Bird on the status of Canadian women. Yet women still face overwhelming barriers to equity in employment, although there have been small but significant steps.

Increasing numbers of women are in the labour force, more than 60% of women with young children now have paid employment. Yet they are still found largely in traditional low-paying, dead-end job categories. When they find opportunities to enter non-traditional

jobs, they face a hostile environment with lack of appropriate tools, facilities or supportive co-workers. Vicious sexual harassment and sexist attitudes, acceptable in many workplaces and increasingly common on university campuses, are acute problems for women entering non-traditional occupations.

Barriers to equity may include outmoded views of women's role in society, pre-conceived notions of their skills and abilities, or limitations on their right to participate such as lack of affordable child care or lack of support for those combining work and family responsibilities. The barriers limit women's opportunities in employment and their access to training and education in non-traditional trades, professions and fields of study.

While more women are entering the labour force, many of them are forced into the precarious world of part-time employment with little job security, opportunity for advancement or benefits. Women now make up about 70% of part-time workers.

Women who are also members of other designated groups are most severely disadvantaged. Voluntary employment equity programs have been of little benefit to Aboriginal women, women with disabilities, Francophone women and racial minority women.

Themes from the Consultations

Women's groups actively participated in the public consultation process, and women contributed as members of other designated groups.

Education equity is vital to women. Women should be equitably represented in all fields of study and at all levels of instruction in education and training. The principles of women's equality and employment equity should be taught to boys as well as girls at the elementary school level.

Women want to see education on women's equality taken to the job. To encourage a supportive workplace for women, participants recommended that traditionally male-dominated workplaces receive education before women begin their employment.

Women are too often excluded from planning and implementation of employment equity initiatives. They have to be part of the process

of implementing employment equity legislation, as well as participating in employment equity planning in the workplace.

Participants urged that the legislation target those women who face compounded disadvantage because of their membership in more than one designated group, such as racial minority women or disabled women.

There was strong recognition of the need for programs and services that support employment if women are to take advantage of employment equity, including child care, education and training, counselling and social services, affordable housing, and language training for immigrant women.

Designation of Other Groups

1. *Francophones*

"Our seeking to be recognized as a designated group is in the spirit of seeking a means of accessing the support programs offered... This will put us in a position to play a more active, contributory role for the good of all Ontario."

UNION CULTURELLE DES FRANCO-ONTARIENNES

In the decisions made about employment equity before the consultative process began, the Government of Ontario indicated its intention to designate four groups: Aboriginal Peoples, persons with disabilities, racial minorities and women. However, for some years, the government has included Francophones as a fifth designated group in the Ontario Public Service.

Compelling statistics can be found to show that Francophones experience employment discrimination and barriers. Francophone racial minorities, Francophone youth and Francophone women all face compounded problems in the workforce.

Racial minority Francophones are particularly vulnerable. Racial minority Francophones repeatedly stated that the majority of positions for Francophones are given to white Francophones. The double disadvantage faced by these employees is often compounded if the racial minority Francophone is an immigrant or a woman.

Unemployment or segregation in low-paying jobs is common for this group.

Themes from the Consultations

During the consultations, in every city where there is a significant concentration of Francophones, associations made presentations recommending that Francophones be included as a designated group.

These presentations illustrated the employment disadvantages of the Francophone community: Francophones are more likely to be unemployed than the general Ontario population; Francophones had a slightly higher unemployment rate than visible minorities; and more Francophone youth were unemployed than those in the general population. For those who are working, there tends to be occupational concentration and under-representation in management.

Lower educational achievement and illiteracy were also highlighted. Many participants stated that Regulation XVII of the Ministry of Education, which eliminated French language schools from 1912 until 1927, was largely responsible for the lower educational achievement of Francophones. Only in 1968 was French language secondary schooling guaranteed. Post-secondary education is not readily available in French throughout the province. Participants also pointed out that adult Francophones already in the workforce need much better access to training in order to improve their skills, allowing them to adapt to change.

Several participants pointed out that it was commonly thought that Francophones were protected against discrimination in the workforce since the implementation of the *French Language Services Act*. It was explained that this Act guarantees the delivery of government services in French but does not eliminate discriminatory employment practices.

In order to better assess the situation of Francophones in the workforce, the Office of the Employment Equity Commissioner and the Office of Francophone Affairs jointly conducted two studies. These studies reviewed the literature and the statistical data on the socio-economic status of Franco-Ontarians. While the studies showed a pattern of disadvantage for Francophones, they also

indicated that this disadvantage was not primarily due to language but rather to educational, regional and gender differences.

The study revealed that, on the whole, Franco-Ontarians who have lower educational qualifications face more inequalities in employment. Although there are regional differences, it is impossible to say that Franco-Ontarians are disadvantaged in a particular area of the province. There are, however, specific employment and income situations where Francophones are under-represented.

Francophones and non-Francophones with similar education earn similar employment income, although Francophones with fewer years of school do not seem to earn as much as their non-Francophone counterparts. Overall, Francophone university graduates in most regions are in a more advantageous earning position than non-Francophones. In fact, Francophones with university degrees are proportionately more numerous in the \$30,000-\$49,000 income range. Fewer Francophones than non-Francophones with low levels of education earn less than \$20,000 a year.

When education levels are considered, Francophones are proportionately less likely than racial minorities to have more than a grade 9 education. They are also less likely than members of racial minorities to have done post-secondary studies.

Women face similar occupational and income barriers. They are more numerous in the lower paid jobs than men. Francophone women with less than grade 9 are much worse off than non-Francophone women, as they are more likely to earn an annual income at the bottom of the scale.

Based on these studies, it appears that equity for Francophones in the workplace is much more likely to be achieved through better access to education and training than through employment equity legislation. Francophones will benefit from the designation of women, racial minorities and persons with disabilities in employment equity legislation, and Francophones are presently a designated group in the Ontario Public Service.

Outside the area of employment equity, Government of Ontario programs in education, social services and economic development should target these specific needs of Francophones, and particularly Francophone women.

2. *Lesbians and Gay Men*

"The energy and concern given to covering up my personal life...could not help but detract from my efficiency and comfort in the workplace, but it was necessary...What kind of person was I that I couldn't stand up for myself? A person wanting to keep the peace and keep my job."

GAY AND LESBIAN ASSOCIATION, KINGSTON

The high degree of homophobia prevalent in the workplace as well as in social settings underscores again the need for equality rights. When our society discriminates on the basis of sexual orientation, lesbians and gay men suffer insurmountable barriers. In fact, so little protection exists that lesbians and gay men remain reluctant to identify themselves.

Representatives of the lesbian and gay men community have urged that they be covered under the legislation. They feel that strong legal protection is necessary to show that lesbians and gay men have equal rights in the workplace, and rights to equal protection and equal benefit of the law. Many representatives from the other designated groups, community and advocacy groups, as well as many unions, voiced their support for the inclusion of this group. Participants recommended including sexual orientation in the anti-harassment provisions of the *Human Rights Code, 1981*. Participants also urged that compensation plans that do not include a non-discriminatory definition of spouse need to be amended.

Clearly, employment equity legislation will have some application for lesbians and gay men in such areas as anti-harassment and anti-discrimination measures. Other barrier elimination measures such as removing bias in recruitment and selection policies will diminish discrimination against lesbians and gay men. Public and workplace education on human rights will create a more supportive environment for all workers, including lesbians and gay men.

3. Youth

"It is difficult to motivate young people to continue in their studies and to perform and to achieve, if indeed they do not see before them the expectation, the hope, the possibility of actually receiving good employment, getting promotions and being present in all levels of the working society."

INDIVIDUAL PRESENTATION, WINDSOR

Young people are the future. They should represent our hopes and dreams for a better tomorrow. They should be a significant and growing proportion of the Ontario labour force. But there are problems.

Sadly, in the last few years, we increasingly witnessed the anger and despair that comes from the alienation of so many youth. Its symptoms include high school drop-outs, street living and lack of motivation as well as overt acts of destruction against themselves, their peers and property.

Young people were themselves active participants in the consultations, and they were frequently mentioned in presentations by other participants. Francophone youth underlined the need for culturally and linguistically adapted training and educational programs. Parents, teachers, employers and unions all noted the importance of involving youth at an early age in understanding, accepting and promoting employment equity. Young people clearly experience more difficulties in finding jobs than other participants. Their lack of work experience and proven skills contributes to the problem of high youth unemployment. Ironically, adults look for experience while refusing them the opportunity to gain that experience. Youth of designated groups, particularly racial minority youth, face persistent stereotyping and problems finding employment. This is a particular problem for African-Canadian and Aboriginal young people.

In spite of their current difficulties, young people are enthusiastic about contributing and building a just society. They want opportunities to fulfil their potential and show what they can do. They, more than any other group, will be looking to the results of employment equity legislation to see the kind of future they will face in Ontario.

■ B. The Voice of Employers

The Government of Ontario has decided that three employer sectors will be covered by employment equity legislation: the public sector, including the Ontario Public Service; the broader public sector such as municipalities, colleges and universities, school boards, hospitals, crown corporations and organizations providing services which are wholly or partially funded by the provincial government; and the private sector.

The Public Sector

"We are a large, regionalized organization with old systems and processes that need to be modernized and improved so that we can get value for tax dollars. By including members of designated groups in the process of change, we can create a more accessible and functional workplace—one that maximizes performance while respecting individual dignity and worth."

MANAGEMENT BOARD SECRETARIAT, ONTARIO PUBLIC SERVICE

With 90,000 employees, the Ontario Public Service is one of the largest employers in Ontario. This fact alone makes the Ontario Public Service a special focus for employment equity measures. The public service is the face of the provincial government. It should be a role-model for other employers. Experiences in other jurisdictions show that when government is committed to improving employment opportunity for marginalized social groups, public service hiring and promotions play a vital role. Employment and promotion in the public service has been a significant factor both in changing the roles and in promoting the abilities of designated groups and in helping to create an economic base for these communities.

Legitimately, then, expectations are very high. This in part is the cause of the widespread disappointment with the results of employment equity in the Ontario Public Service, although these programs are relatively recent.

Themes from the Consultations

Representatives of the Ontario Public Service and reference groups of civil servants from the five OPS designated groups, in addition to representatives of designated groups and unions, participated in consultations on the public sector.

The presentations emphasized the need for government to assume a leadership role by successfully implementing employment equity in the public sector. The Ontario Public Service outlined some of the challenges encountered in implementing employment equity, and some of the important roles that government can play in helping to implement employment equity in the broader public and private sectors. The OPS stressed that education and communications are essential to employment equity.

The Ontario Public Service Employees Union expressed concern over the lack of co-ordination and accountability of ministries with respect to the implementation of employment equity initiatives. The absence of consistency among ministries was also an issue.

Participants pointed out the difficulties still being encountered by designated groups in the public sector. For both Aboriginal Peoples and persons with disabilities, an important issue is the overuse of short-term contracts. Members of both groups are systematically marginalized, distanced from positions of influence or decision-making, deprived of much-needed benefits and subject to the continuous uncertainty of discretionary renewal or non-renewal. Racial minorities and women are also affected by short-term hiring practices.

Racial minorities within the OPS are not, as a rule, working in positions corresponding to their qualifications and experiences. They are largely under utilized. Hidden barriers, popularly known as the glass ceiling, prevent women and racial minority civil servants from being promoted into management or middle-management.

There is a need for results-oriented planning and of accountability and co-ordination among ministries. Positive measures aim to improve advancement opportunities of designated groups. Job accommodation measures for persons with disabilities must be improved. Expanded and specialized outreach recruitment

techniques and fair assessment of foreign credentials of immigrants were seen as necessary to achieve equity.

A strong theme in consultations was the need for accountability for employment equity implementation to be placed at the deputy minister level, with strong sanctions for discrimination, harassment or failure to achieve equity.

The Broader Public Sector

"What we have found is that we have some good programs, lots of committees and task forces, nicer policies and extensive reports, but we do not yet have the results we desire."

SENECA COLLEGE, TORONTO

Broader public sector organizations strongly support employment equity legislation. Their concerns are for the details of implementation.

Many of these organizations have already begun or completed implementation of employment equity programs. They strongly recommend compatibility between the requirements of the new legislation and that of other jurisdictions.

The cost of employment equity is critical for those transfer payment agencies who are struggling with budget restrictions and limited resources.

Themes from the Consultations

Consultations heard from educational institutions, hospitals, agencies, social service providers, health care providers and others. Many of these broader public sector organizations supported the introduction of mandatory employment equity legislation.

Many organizations already have employment equity plans in various stages of development and implementation. Their preference was for the government to indicate what was required to achieve employment equity, and then to allow individual organizations to determine how to meet those requirements. They wanted well-defined and precise requirements and clear and flexible standards for implementation.

Broader public sector organizations felt that the legislation should recognize the accomplishments of organizations who have already demonstrated commitment to employment equity and who have invested effort and resources to meet those objectives.

Transfer payment agencies are now facing funding constraints which limit their resources, and they were very concerned about the cost and resource implications of implementing employment equity.

Larger organizations also were concerned with the implications of negotiating employment equity plans with several bargaining units. Based on prolonged negotiations to achieve pay equity, management preferred a consultative model rather than mandatory negotiations.

Educational institutions who are both employers and gatekeepers to many professions and areas of training recognized the need to achieve equitable representation of designated groups in all occupational levels and fields of study. It was also recommended that government and educational institutions, certification bodies and professional associations jointly deal with the issue of recognizing or valuing foreign credentials.

Broader public sector organizations also emphasized the importance of public education on the benefits of employment equity.

The Private Sector

"Employment equity is not only a legal, social and moral obligation. It is also a common-sense business policy designed to increase productivity, improve our ability to attract and retain talented employees and enhance our position in both domestic and international markets."

MANULIFE FINANCIAL

Astute private sector employers support the principles and objectives of employment equity. They are in favour of programs which encourage the hiring, promotion and retention of the best qualified workers. Intentional and systemic discrimination are seen both as barriers to equity and as inconsistent with good business practice. They strongly support making best use of all human

resources in order to maintain Ontario's competitiveness in a changing world economy.

On the other hand, while private sector employers acknowledge the government's commitment to mandatory employment equity, many employers feel that further regulation of the private sector in employment matters is not required. Some urge the government to delay implementation of employment equity because of the economic climate, or to consider substituting a voluntary initiative. There are many issues of implementation that are the legitimate concern of employers. These issues are dealt with in some detail in this report. Steps that can make implementation easier and less onerous for employers, and that are at the same time consistent with effective and fair legislation, are critical to the success of employment equity.

According to employers, the balance of interests must be paramount when looking to determine the size of employer, based on the number of employees, to be covered by employment equity legislation. Obviously, the ability of employers to implement full employment equity is affected by the financial and human resources available. Smaller employers have more limited resources, ability and opportunity to implement employment equity. Admittedly, planning may be simpler in smaller businesses. It is important that the maximum number of employers be included in order to ensure that as many workers as possible benefit from the legislation.

Themes from the Consultations

Larger and small employers from a wide range of business and industries actively participated in the consultations. Private sector employers as a whole were strongly opposed to fixed standards imposed by regulation. They stressed the need for employer-determined goals and timetables. They identified this as essential to accommodate diversity among workplaces and differing human resources management and corporate strategies. They also wanted requirements for planning and goal-setting to take into consideration down-sizing, flattening of organizational structures

and low turnover as well as shifts in the economy, the labour force and individual business environments.

However, if there is to be government regulation, private sector employers stressed that it must be simple and cost-effective with minimal paper burden and enough time to meet the requirements. Employers are concerned about costly and complex administrative requirements and the possible incompatibility of requirements with those of other jurisdictions.

Many employers have already supported and invested substantial resources in initiatives in training, education and removal of biased and discriminatory human resource policies and practices. Like broader public sector employers, they urged that legislation take these efforts into consideration and build on them. They also asked that government provide them with reliable data on the availability of qualified designated group members so they can set appropriate goals.

The issue of privacy and confidentiality of information was repeatedly raised by private sector employers, who suggested a model which requires recording only and not reporting. Business people strongly oppose disclosure of information which they feel may give an advantage to their competitors by revealing their corporate strategy.

The important issues of coverage and timing, as well as details of the implementation were of concern to private sector employers, and these issues are covered in detail in Chapter 5.

Building and Construction Industry

Employers in the building and construction trades provide direct employment for approximately 310,000 workers. Like agricultural and tourist sectors, this industry is affected by seasonal factors. This, combined with its diverse and mobile workforce, complicates the traditional employer and employee relationships. The industry is characterized by transience of workforce, unionized and non-unionized environments and province-wide collective agreements.

There have been interesting programs, some co-sponsored by Ontario Women's Directorate and Ministry of Skills Development, to admit women into trades which formerly excluded them. Other

programs which target the four designated groups have been included in the Northern Labour Adjustment Program of the Ministry of Government Services.

The major construction associations recommended that an advisory committee be established to consider these special circumstances and ensure that legislation is affectively adapted to the particular characteristics of the sector.

Coverage

In deciding which employers should be covered by the legislation, it is necessary to weigh the impact on designated groups; the resources of employers to plan and implement the requirements of the legislation; and the administrative capacity of government with its implications for monitoring and enforcement of the legislation.

Covering the large employers—the public sector, broader public sector and private sector employers with 500 or more employees—would include more than half (55%) of all employees in Ontario. More than 70% of employees would be included if employers with 100 or more employees (approximately 3% of employers) are included. If employers with 10 or more employees (approximately 20% of employers) are covered, then almost 90% of employees are included. However, in absolute numbers, covering employers with 100 or more employees means covering 10,000 employers; covering employers of 50 or more means 17,000 employers are covered; but covering employers with 10 or more employees means covering approximately 66,000 employers. Only about 11% of all employees in Ontario work for the 80% of employers who have fewer than 10 employees. A detailed chart on number of employees and employers is attached as Appendix C.

Several presenters strongly recommended that employment equity legislation apply to all employers. They consider employment equity a right for all employees and would adapt planning requirements to suit the circumstances of different sized companies.

In addition to the question of size, some employers have special concerns because of the nature of their businesses. Agriculture,

construction and tourism industries usually hire seasonal and part-time workers to meet their labour needs. Often, workers are hired to do specific tasks for a few hours during the day on a one-day basis, or they are hired to do a wide range of tasks for a short term. Many employers in these industries are small family-owned operations. Their few employees do a variety of tasks, including human resource duties. The transient workforce creates special problems in data collection, workforce analysis and administrative costs.

Themes from the Consultations

During the consultations, most participants proposed that all employers, regardless of size should be required to make efforts to implement employment equity.

Private sector employers supported the exemption of employers with less than 100 employees, while designated groups and unions supported coverage of employers with 10 or more employees. New businesses, particularly smaller businesses in some regions in Ontario, were seen as key sources of employment for designated group members. Exempting small employers from the legislation may reduce the benefit of the legislation for designated groups.

There was strong support for consideration of modified requirements for smaller business, employers with 10-49, and in some cases 50-99 employees. These requirements could included simpler data collection and reporting or a longer phase-in time.

The majority of participants in the consultation supported using the number of employees to determine if an employer was covered under the legislation.

Construction, agriculture and tourism industries raised concerns about setting numerical goals and proportional hiring in the context of their transient workforce. Employers and unions in the building trades and construction sector pointed out the special characteristics of their industry. In addition, many participants noted that unions need to deal with employment equity issues within their own structures, particularly with respect to hiring halls. Sub-contractors, family-operated businesses and legal services were all identified as having specific issues of coverage.

Timing

Employers will be expected to comply with the requirements of the legislation within a certain period of time. In considering timing for implementation, it was necessary to balance the need to implement legislation as quickly as possible with the need to give employers enough time to conduct thorough and adequate workforce surveys and analyze their employment practices.

Government will also need time to develop regulations and monitoring and enforcement mechanisms.

Themes from the Consultations

A phased-in approach, similar to that used in pay equity legislation, was recommended by private and broader public sector employers and employment equity practitioners. Proposed time periods ranged from one to five years. Private sector employers noted that the requirements of the legislation should determine the length of the phase-in period.

Some designated group members and unions opposed a phased-in approach, particularly for smaller employers. They pointed out that smaller employers usually do not have the kinds of workforce requiring complex data collection and employment systems reviews. They would not require more time than larger employers to implement employment equity. However, there was some support for giving smaller employers sufficient time, given the current economic constraints on smaller businesses.

Many presenters representing associations as well as individual businesses strongly recommended that government help prepare for implementation by offering services and assistance to explain new requirements, to help with training and to provide statistical information on the available skills in the designated groups.

■ C. The Participation of Workers

"For years, Canadians have been aware of the many discriminatory practices of employers and their agents. It is these practices that have kept members of the target groups not only out of the work force, as is the case of injured workers and people with disabilities, but also locked into low-paying and often part-time work. We cannot continue to ignore these injustices, and must act now to correct these historical wrongs."

ONTARIO FEDERATION OF LABOUR

To be successful in implementing employment equity for the benefit of all workers, workers must participate actively in the process. Whether in unionized or non-unionized workplaces, worker participation means better understanding of the goals and processes of employment equity, more support for measures needed in the workplace, and a heightened awareness of the value of a diverse workforce. Voluntary programs have been most successful in those workplaces where workers have been involved.

The majority of workers in Ontario are not members of labour unions. These workers may feel vulnerable to or threatened by employment equity legislation, and it is crucial they are able to participate in the development of employment equity initiatives.

The Role of Unions

Unions in particular have an important role to play in implementing employment equity. Many unions have been leaders in developing and implementing these programs. In particular, the Ontario Federation of Labour has provided leadership on employment equity. In 1983, it became the first central labour body in North America to adopt affirmative action measures for women on its board. In 1987, it added measures for visible minority representation, and it has provided education programs and materials for its affiliates.

As the representatives of all unionized workers in an organization, including those who are members of designated groups, unions

advocate for all their members. At the same time they must work to ensure participation of and support for designated group members.

Seniority Provisions

Discussion on the role of unions inevitably leads to the question of seniority, an important hard-won provision which protects the rights of unionized workers.

According to the Ontario Federation of Labour, "Seniority is a fundamental principle in the labour movement, and this principle must remain intact. However, in workplaces where seniority determines who gets trained or promoted, we would argue that seniority provisions must be applied in a manner consistent with labour's principle of fairness and equity."

Seniority provisions in collective agreements are designed to protect organized workers by establishing criteria for decisions on employment matters such as benefits, promotion and eligibility for certain positions. Seniority is vitally important in establishing decisions on lay-off and recall. Collective agreements or established practice determine the nature and extent of seniority provisions in each workplace.

Seniority provisions were not designed to discriminate. But until designated group members are fairly represented in and throughout the workplace, seniority may have a discriminatory effect on these groups. In periods of widespread lay-offs, seniority clauses have most impact on the most recently hired.

Where the practice of seniority is found to be a systemic barrier, it should be eliminated and alternate and complementary forms of seniority should be negotiated. In matters of lay-off and recall, seniority can be practised in ways that reduce the impact on designated group members, such as implementing voluntary inverse seniority with compensation, job sharing or rotational lay-offs.

In order to create fair legislation, care should be taken to allow and encourage seniority clauses which acknowledge and remedy past systemic injustices. Many unions such as Canadian Auto Workers, United Steelworkers and Ontario Public Service Employees Union

have developed seniority clauses which take into account employment equity objectives.

Themes from the Consultations

All participants in the consultations acknowledged that to successfully implement employment equity everyone in the workplace must cooperate. Joint employment equity committees were seen as a way to facilitate workers' participation in unionized and non-unionized workplaces.

There were strong recommendations that, in unionized workplaces, unions and employers must negotiate to make sure that the provisions of the collective agreement are compatible with employment equity requirements. Most employers were adamantly opposed to negotiating employment equity plans. Unions were equally adamant that the plans must be negotiated. Designated groups supported the negotiation of employment equity outside the collective bargaining process. Recommendations were made on how to negotiate employment equity without entering into a bartering system.

Joint employment equity committees provide a possible forum for the interests of non-unionized workers to be represented during planning and implementation. These committees could play an advisory or consultative role and assist in monitoring.

Employers with multiple bargaining units, particularly larger and broader public sector employers, had strong concerns about negotiation of plans with every individual bargaining unit. Some unions opposed multiple bargaining because of the differing negotiation strategies and objectives of the members. A significant number of designated groups pointed out that unions must improve designated group members' access to decision-making structures and processes in collective bargaining.

There was strong support from designated groups and unions for advocacy services for non-unionized workers. Private sector employers were almost all opposed to advocacy services.

The impact of seniority provisions in collective agreements on the implementation of employment equity is a serious concern for all groups and sectors. Many private sector employers see current seniority practices as a systemic barrier. All unions emphasized the need to retain seniority provisions. Many noted that seniority provisions which are fair and equitable should remain intact.

A strong recommendation across all groups and sectors was that the roles and responsibilities of all parties be established and that the processes and relationships between collective bargaining and employment equity be clearly defined.

■ 5. ADMINISTRATIVE STRUCTURES

■ A. The Employment Equity Commission

The consultations, time after time, emphasized that for employment equity to be effective, an accessible, strong and independent body needed to be created. It would consult, educate, monitor and enforce the employment equity legislation. Its structure would be sufficiently flexible to ensure meaningful participation by designated groups, employers, unions, advocacy groups and interested parties.

In essence, consultations encouraged and supported the establishment of an Employment Equity Commission, independent and at arms-length from government, emphasizing that it play a role in research and policy development, education, monitoring and enforcement.

There was widespread support for: the separation of administrative and adjudication structures and functions, including an independent Tribunal for deciding and resolving complaints; the representation of designated groups at all levels in both structures; as well as a drive for decentralized structures and services to ensure that regional needs are met.

Some recommendations, in particular from organized labour, suggested that employment equity be under the jurisdiction of the Ministry of Labour. Designated groups emphasized that the new commission should be given adequate resources to fulfil its mandate efficiently and effectively.

Also recommended was that technical advisory committees and an advisory council comprising designated group members and other stakeholders be established. Several technical seminars were held to complete and deepen the analysis of pertinent issues.

Private sector employers were especially concerned about the creation of a costly bureaucracy which would duplicate the roles and functions of the Human Rights Commission. They were opposed to the provision of advocacy services for workers because they felt other existing services provide advocacy for designated group members.

Administrative and cost efficiency concerns were raised repeatedly during consultations.

The roles recommended for the commission include:

- linkages with other Ministries and agencies to help coordinate government initiatives supporting employment equity
- linkages with community-based networks and resources
- research initiatives
- mediation, arbitration for employers and unions in cases of failure to agree on plan implementation
- investigations of work sites based on complaints and/or random audits
- submission of reports on an annual basis to the Minister for presentation in the legislature.

In supportive areas such as education equity and training, transportation, child care, etc., public hearings could help monitor progress, or the lack thereof.

■ B. Overlapping Jurisdictions/Interministerial Coordination

Government initiatives which impact on employment equity and the special needs of designated group members need to be examined in order to clarify potential overlap and facilitate coordination.

The Ontario Human Rights Commission has legislative authority to investigate discriminatory practices, including systemic discrimination in employment practices and policies. That Commission also approves special programs to eliminate or reduce disadvantage. Currently, the Commission's procedures are under review by the Human Rights Task Force.

It is important to establish the relationship between the *Human Rights Code, 1981*, the Human Rights Commission, the employment equity legislation and the Employment Equity Commission.

Many different ministries and agencies deliver employment equity programs and initiatives, including: Ministries of Citizenship,

Labour, Community and Social Services, Health, Education, Colleges and Universities, Skills Development, Government Services, Housing, Transportation, Management Board Secretariat, Ontario Women's Directorate, and the Ontario Training and Adjustment Board.

There are numerous questions of procedure and jurisdiction which arise from having so many different organizations with responsibility for aspects of equity legislation. There are also many organizations with responsibility for the other initiatives which have an effect on the success of employment equity.

Throughout the consultations, almost all participants, and particularly employees, employers and advocacy groups, recommended that clarification and coordination of jurisdictions and of programs was vital.

They stressed that it was important to ensure interministerial coordination and support to prevent consumer confusion, excessive costs and duplication of mandate and services. Effective and integrated strategies should be developed for communicating existing services and resources.

■ C. Regional Issues

Participants stressed that the proposed legislation must accommodate regional diversity. It was recommended that there be a decentralized administrative, monitoring and enforcement structure to oversee the implementation of employment equity. Local or regional offices were suggested, as was community level involvement in the identification, development and implementation of educational and communications strategies.

Many residents of northern and rural communities have to leave their communities for education and training, and many will not return. This is a loss of valuable human resources and skills for these communities. Participants emphasized the need for community-based training and education. Another concern was the cost of travel and accommodations for residents who have to travel for professional development and advanced training.

Limited social and health services, housing and transportation are barriers for many designated groups, particularly for persons with disabilities who live in smaller or remote communities. Other barriers identified included lack of interpreters for deaf and hearing impaired residents in northern regions, lack of health services, and government programs that do not meet the need of local communities.

Employers in northern regions want employment equity legislation to accommodate the unique characteristics of many regions, such as the prevalence of transient population workforces. Designated group members were concerned that exempting smaller businesses from the legislation would mean that many of them, particularly outside of Metropolitan Toronto, would be deprived from the benefits of the legislation. In some areas, smaller employers hire a large percentage of designated group members.

■ 6. PUTTING EQUITY INTO PRACTICE

"A specific equity initiative will mean less time and energy spent on convincing people of the need for employment equity and more concentration on the real work of implementation."

COUNCIL OF ONTARIO UNIVERSITIES—COMMITTEE ON EMPLOYMENT AND EDUCATIONAL EQUITY

While there is overwhelming support for the goals and principles of employment equity, success will depend on developing and enforcing strong and effective methods of implementation.

Throughout the consultations, two important themes were raised by almost all participants: employment equity initiatives should be oriented to results and should be workable. The requirements of the legislation must ensure the removal of barriers to employment and to equitable representation of designated groups' members in all occupations and at all levels in the workforce. At the same time, the legislation must take into account the demands that it will place on the employers who must implement it.

In examining ways to implement employment equity, there was an attempt to find a balance between the over-riding requirement for equity and the practical requirements of implementation.

This section deals with the important principles and processes of implementing employment equity. It is often technical and detailed in order to fully reflect the many concerns of employers, employees, unions, designated groups' members and other participants in the consultations.

The Plan

An employment equity plan provides the framework for effective implementation of the employment equity initiative. Its purpose is to achieve change in the workplace through human resources planning and evaluation as well as attitudinal and cultural change.

The plan is a flexible tool for achieving employment equity. It outlines the goals and timetables. It lays out a blueprint for accomplishing the goals, and establishes criteria for evaluation.

Themes from the Consultations

Participants in the consultations recommended that employment equity plans must:

- be effective in increasing equitable representation of designated groups at all levels in individual organizations and throughout the workplace
- include numerical goals and timetables based on internal organizational opportunities for change
- include barrier elimination measures, job accommodation measures, positive measures, and supportive measures
- be flexible in accommodating differences among and within workplaces, including economic and regional differences
- promote supportive workplace environments
- contain education and communication strategies
- contain evaluation and accountability measures
- be cost-effective
- be enforceable.

Other recommendations coming out of the consultations included:

- clear identification of the roles and responsibilities of all parties including employers, designated groups, and unions in the development of employment equity plans.
- defining "establishment" and outlining requirements for employers with more than one establishment, organizations not based on standard industrial models, and public and broader public sector organizations.
- flexibility of regulations to accommodate factors such as regional workforce characteristics.
- initiatives which extend beyond the workplace such as transportation, housing, training, social and health services, income maintenance and education equity should be coordinated.

The co-ordination and integration of initiatives in these areas were identified as key roles of government.

Education and Communications

The vital role of education and communications in promoting and achieving employment equity was highlighted by virtually all participants in the consultations.

Education and communication strategies were identified as vital to help people understand and accept employment equity in the workplace. They are required for effective implementation of plans and all measures, particularly positive measures.

Workforce Analysis and Employment Systems Review

There was strong support for a mandatory workforce analysis and an employment systems review as a basis for employment equity planning. Employment equity practitioners pointed out that thorough workforce analyses and employment systems reviews can take up to two years to complete, time must be allowed in the legislation for its completion.

Designated group members and unions felt that accurate and relevant data need to be collected in the workforce analysis to set effective goals. However, these requirements should be kept to a minimum in order not to create undue administrative demands or costs. Unions felt that they should be involved in the data collection process from the beginning, including the design of the survey in order to facilitate the cooperation of their members.

Many employers stated that they have already used considerable resources to begin or complete workforce analyses and systems reviews as part of other contract compliance programs or voluntary employment equity initiatives. They would like the legislation to build on and complement work completed or in progress, rather than requiring them to begin again.

There was a difference of opinion on the participation of workers and designated group members in developing and implementing the employment equity plan. Most of those consulted, supported their

participation. However, private sector employers generally did not support worker participation in the development of the workforce analysis and employment systems review. They did support worker and union involvement in implementing workforce surveys, but not in the design of them.

During the consultations, designated group members, many public sector organizations and unions strongly supported the posting of plans and access to those plans by both workers and the public. The majority of private sector employers were concerned that public access to plans might give valuable information to competitors. They recommended accepting certification by employers that plans are actively in place. Unions insisted that access to plans is indispensable if they are to participate meaningfully.

Numerical Goals and Timetables

There was strong consensus that both numerical and qualitative goals are necessary to achieve employment equity. While most of those consulted supported mandatory goals and timetables, they also advocated flexibility. Goals should be established based on individual corporate cultures and environments, internal and external economic considerations, different needs among and within designated groups, and regional differences.

There is a difference between numerical goals and quotas. Numerical goals are flexible because they are determined according to several criteria, including opportunities for hiring and promotion in the workplace. The failure to achieve a goal does not automatically result in a penalty. Quotas, by contrast, usually are fixed numbers, externally imposed, with an automatic penalty if the quota is not met.

Private sector employers opposed a quota system. However quotas were supported by some designated groups, in particular some representatives of racial minorities. Associations representing persons with disabilities recommended quotas for persons with severe disabilities.

Most designated groups, unions, and broader public sector employers favoured numerical goals and timetables established

according to standards fixed by an Employment Equity Commission.

Private sector employers were strongly opposed to standards in this area. They support numerical goals and timetables established by employers, either with or without guidelines adopted by the Commission. Most support internally-generated goals and timetables which are realistic, achievable and tied to an individual company's business plans and competitive environment.

Most presenters requested that the Commission provide workplaces with the necessary statistical data for goal-setting purposes. This was seen as almost a condition of workable legislation.

Measures

Measures to increase the participation of designated group members in the workforce include barrier elimination measures, job accommodation measures, positive measures and supportive measures. Together, these quantitative and qualitative initiatives form the basis of the process for achieving employment equity.

Participants in the consultations supported measures as integral components of an employment equity plan. There was overall support, except from private sector employers, for both standards and guidelines for developing and implementing measures.

Although private sector employers supported the use of qualitative measures to achieve employment equity, they did not view standards as necessary. They preferred employer-determined goals and timetables for measures, with or without guidelines set by the Employment Equity Commission.

All sectors agreed that employers need access to resources to identify and implement job accommodation measures, particularly for persons with disabilities. The costs of these measures should be shared by government and employers so that cost does not become a barrier to their implementation. Many presenters explained, however, that in their experience most accommodations do not incur huge expenses. They felt that much of the apprehension on the part of employers is due to lack of readily available information and assistance.

Private sector employers generally did not comment on the kinds of measures that were needed. However, the most frequent

recommendations from other participants for required barrier elimination, job accommodation, positive and supportive measures are listed below.

Designated group members stressed that different designated groups require different measures to achieve employment equity.

1. Barrier Elimination Measures

An examination of policies and practices in the following areas will be necessary:

- recruitment (job posting, advertising, interviewing)
- job qualifications
- evaluation of prior learning, foreign accreditation and work or volunteer experience
- hiring, promotion and criteria for selection in both areas
- access to training and retraining, education, developmental opportunities
- criteria and method of performance appraisal
- wages and benefits
- leave of absence, religious/cultural holiday observance
- access to appropriate equipment, facilities

Measures to eliminate any barriers identified by the above examination could be:

- posting or advertising jobs in a variety of media, including community-based media
- elimination of testing and other selection criteria which are not related to job requirements
- fair assessment of prior learning, foreign credentials, work/volunteer experience and skills
- leave of absence provisions to accommodate needs of all workers
- access to benefits for same-sex spouses

- workplace documentation, notices, provided in languages other than English and on tape for blind and visually impaired workers.

2. *Job Accommodation Measures*

- work-related assistive devices and access to updated and appropriate technology and software required to perform job duties
- attendant services, job coaches
- access to trained interpreters
- flexible hours, modified job duties
- ensuring accessibility of buildings and all facilities and areas within buildings
- accessible work area appropriately equipped (i.e. TDD phone at desk and at convenient locations throughout workplace for hearing impaired and deaf workers)
- accommodation for language facility
- visual lights and signals which act as fire alarms for deaf and hearing impaired workers
- dress codes which accommodate women and cultural minorities

3. *Positive Measures*

- job advertising in designated group community media
- bridging, job-shadowing positions for designated group members
- lateral entry for designated group members
- job preparation and leadership training for designated group members
- non-traditional outreach programs targeting high schools and post-secondary educational institutions
- funding for training and apprenticeship positions for designated group members

- developing an internal data base of designated group workers who are interested in and ready for advancement.

4. *Supportive Measures*

- policies to address balancing of family and work responsibilities
- anti-discrimination and anti-harassment policies including provision of training and education for employers and for workers at all levels
- education and communication programs to dispel myths and promote acceptance and understanding of employment equity
- mentoring programs.

Collecting and Reporting Data

Data are collected and reported to provide information for assessing how many designated group members, in which occupations and at what levels, are represented in the workplace before and during the implementation of employment equity, to monitor for compliance, and to assess results.

Information could include statistical and qualitative data. Basic statistical data often include information on hiring, promotion, termination, salaries and occupational categories, in relation to full-time, part-time, temporary and seasonal work. Basic qualitative data describe the policies and practices which may act as barriers to employment, and initiatives to remove these barriers.

Themes from the Consultations

During the consultations, key concerns about collecting and reporting data included:

- the need for reliable indicators of the gap between the numbers of qualified or readily qualifiable designated group members in the workplace as compared to those in the community
- access to cost-effective and reliable data tools
- data requirements which are practical for small businesses

- minimum administration and cost for employers
- the need for qualitative as well as quantitative data
- the compatibility and/or standardization of requirements for different governments
- accommodation of regional differences
- the privacy, confidentiality and legal rights of both employers and designated group members
- frequency of reporting.

Both private and public sector employers were concerned about the resources already invested in data collection systems within their organizations. They recommended that proposed requirements should take these systems into account, perhaps with a phase-in of data requirements.

Designated groups and unions were concerned with the accuracy and comprehensiveness of data collected and reported. They recommended that designated groups, unions and community or advocacy groups participate in data collection and reporting, both as monitors and facilitators.

Designated groups were particularly concerned about distortion and bias in existing, widely used, statistical information such as availability data. These data were seen as merely reflecting the results of existing barriers and past discriminatory practices. They recommended using data based on representation of the working age population in order to set appropriate goals for the representation of designated groups. Designated groups frequently recommended that Statistics Canada data should be supplemented by data provided by community and advocacy groups.

Designated groups and unions recommended that the kinds of data to be collected and reported should include information on:

- hiring
- promotion
- training
- termination and reasons for termination

- wages and salaries
- occupational categories
- initiatives to remove barriers.

Designated groups and public and broader public sector employers recommended that data be collected and reported for full-time, part-time, contract and seasonal employees. They pointed out that designated group members are over-represented in part-time, seasonal and contract positions.

Private sector employers wanted to keep data requirements to a minimum. They did not agree with collecting data on seasonal and temporary workers, and a significant number did not support reporting qualitative data.

Participants in the consultations recommended the use of a combination of two models to collect data: an occupational categories model and a wage bands model. An occupational categories model classifies workers according to occupational groups including skill types and skill levels. A wage bands model classifies workers according to ranges of wages.

These models would provide comprehensive information on job segregation and levels of employment and wages. Some private sector employers preferred a wage bands model because it is simple to operate and doesn't require occupational coding of jobs.

In general, a model combining both occupational and salary data was recommended since occupational data is necessary for setting hiring and promotion goals.

Most participants supported the reporting of data annually, although recommendations ranged from every six months to every three years. To reduce the paper burden, many suggested short, simple updates could be submitted following the initial presentation of comprehensive reports of results.

Many of those consulted also supported modified data collection and reporting requirements for smaller employers.

Identification

For most participants, there was unequivocal support for self-identification as the only acceptable means of collecting workforce data.

The issue was seen as one of an individual's right to determine whether or not, and how, to be identified. Confidentiality is vitally important to designated group members. As those who have often been victims of discrimination, they are extremely concerned with any methods which could increase their vulnerability to discrimination. Designated groups also pointed out that safeguards to confidentiality and education and communications about employment equity could increase the number of their members who would self-identify.

At the same time, employers worry that workers who choose not to identify will distort data collected on representation and will distort both goal setting and monitoring. Most private sector employers recommended self-identification in combination with some form of supervisor verification.

Many employers found the definition of persons with disabilities currently used by Statistics Canada too subjective and vague. Designated groups recommended the use of Statistics Canada definitions. Many presenters from the deaf community noted that deaf people will identify themselves as deaf but not disabled, as they see themselves as culturally and linguistically different.

It was recommended that definitions should be decided on in consultation with each designated group. Many felt that designated group members should determine the definition for their group.

Data collection should be sensitive to the range of disadvantages within designated groups. Many designated group members have consistently benefitted the least from employment equity initiatives which target the larger designated groups. These include racial minority, Aboriginal and disabled women, and disabled persons with moderate to severe disabilities. Some racial minority groups, in particular African Canadian presenters strongly recommended data collection according to sub-categories. Sub-categories may help track members of these groups to address persistent disadvantage that may be hidden within designated groups.

However, while there was consensus on the need to address this problem, there was not overall agreement on breaking down designated groups into sub-categories nor on how such breakdowns should be accomplished.

Compliance and Enforcement

With the exception of private sector employers, most participants saw compliance and enforcement as the most important component of employment equity legislation. Most supported a combined approach where the Employment Equity Commission would take the initiative to monitor compliance with legislation and also would be able to respond to individual complaints. An audit approach to compliance and enforcement was generally supported.

Themes from the Consultations

Designated groups also were strongly in favour of a provision for third party complaints. Private sector employers opposed this.

Designated groups expressed their frustration at backlogs that have accumulated in existing organizations which have mandates to investigate individual complaints. However, they felt that a complaints component to the legislation is essential. Designated groups and unions also supported a provision protecting workers from reprisals for bringing complaints.

There was strong support for an independent Employment Equity Commission with an independent Tribunal to assume responsibility for compliance and enforcement. Designated group members, community and advocacy groups and unions strongly recommended that the Commission should have adequate resources and the power to issue orders or take other strong action to enforce legislation.

Some private sector employers did not support the establishment of a Commission or Tribunal to enforce legislation.

Incentives

During the consultation process, most participants proposed incentives. The use of incentives to encourage employers to make accommodation for persons with disabilities was seen as particularly important. Recommended incentives included:

- financial incentives
- providing technical and educational resources

- public recognition awards
- preferential awarding of grants and contracts
- assistance in implementing job accommodation measures.

Sanctions

The majority of participants recommended strong sanctions as a last-resort for non-compliance with the legislation. Designated groups and unions in particular felt that strong and enforceable sanctions were vital.

The existence of penalties and remedies, as well as active enforcement, sends a message to recalcitrant workplaces and acts as a deterrent for others. Recommendations for sanctions included:

- significant fines such as a percentage of an organizations payroll
- significant fines or levies which could form an employment equity fund for employers and others making efforts to implement the legislation
- imposition of employment equity plans or quotas
- publication of decisions
- for broader public sector employers, dismissal of managers and directors who did not achieve employment equity goals in performance evaluations.

The Commission should be able to seek additional remedies or penalties through an employment equity tribunal and the courts.

Contract Compliance

Government spending is a way to reinforce the effectiveness of employment equity programs through a contract compliance program. It requires businesses and organizations who contract with or receive government funds to be in compliance with the proposed legislation. Contractors could be required to sign a commitment agreeing to meet the requirements of the employment equity legislation prior to bidding or the awarding of a contract. Failure to comply with the legislation would result in

the loss of the opportunity to bid on future contracts or cancellation of a contract.

The Ministry of Government Services already has employment equity requirements in some of its contracts and funding programs. However, a relatively small proportion of the government's total budget is spent on contracts, and government contracts are a fairly small proportion of the total sales of private companies. In addition, the current process of awarding contracts within the government is decentralized with each ministry awarding the majority of its contracts.

In spite of this, a contract compliance program can be useful when employment equity legislation does not cover all companies. For many companies, the risk of losing a government contract can be a significant incentive towards compliance. In a decentralized purchasing system like Ontario's, information technology can assist in managing the program.

Themes from the Consultations

The public consultations showed widespread support for a contract compliance program. It was seen as an effective way of introducing and reinforcing an existing employment equity program. It would promote the standard of Ontario's *Human Rights Code, 1981* that every government contract is deemed to incorporate an equal treatment and non-discrimination in employment clause. Harmonization of contract compliance programs between jurisdictions was seen as important by employers.

During the consultations, mention was made of community development programs through a percentage of government spending being reserved or set aside for small business or minority business. This type of government program was recommended by some racial minority presenters and participants from Aboriginal communities, who suggested that government give preference to local companies who are more likely to hire local people, because of family and social ties as well as community interests. For some communities more than others, the development of employment opportunities is also closely linked to attainable employment equity.

■ 7. EMPLOYMENT EQUITY AND THE COMMUNITY

"The cost of systemic discrimination in both financial and human terms is enormous. It is this cost that employment equity is designed to eliminate. Real employment equity will result in lower costs for social programs relating to unemployment and poverty. Savings from welfare payments, unemployment insurance benefits, disability pensions and payments, among others, can then be channelled into addressing other community needs."

ALLIANCE FOR EMPLOYMENT EQUITY

Throughout the consultations, it was clear that the success of employment equity would be affected by many issues not directly covered by the legislation. Just as the benefit of employment equity will be felt outside the workplace, so too will changes need to be made across the government and in the larger community.

■ Education Equity

Education equity was strongly and consistently emphasized as an essential prerequisite to employment equity. Educational institutions were seen both as employers and as influential "suppliers" of the provincial workforce. Common key issues and concerns included:

- The need for significant increases in designated group members at all academic and administration levels and fields of study in educational and training institutions.
- the need for supportive and welcoming academic and work environments which accommodate and value diversity. A common recommendation was training in education and employment equity, human rights, anti-sexism, and anti-racism training for all faculty, administration and students.
- ensure the participation of designated group members in achieving education equity, particularly in the development of policies, programs, and curriculum.

- the need for an expedient fair and consistently applied way to assess prior learning and work experience, including foreign credentials. The government was urged not to delay in implementing the recommendations of the *Report on Access to Professions and Trades*.
- the need for educational institutions and employers to collaborate to identify needs and resources of the workforce. This could involve identifying prospective job candidates from designated groups and identifying and developing strategies related to skill shortages.
- Aboriginal communities stressed the need for post-secondary Aboriginal educational institutions and training programs located in Aboriginal communities.
- the Francophone community stressed the need for post-secondary French educational institutions and training programs.

■ Public Education

The vital role of education and communications in promoting and achieving employment equity was raised by all participants. Both employers and unions felt that employees and union members needed to be more clearly informed about employment equity and the principles upon which it rests. There is a vital need to dispel tenacious myths such employment equity means hiring unqualified people. Designated group members rely on educational measures to protect them from further stereotyping and increased harassment. Education and communications initiatives recommended as essential included:

- a major public education strategy by government
- dispelling of myths about employment equity
- education for employers, workers and the public about purposes and benefits of employment equity
- ensuring workplace access to trained educators and trainers with expertise in employment equity

- implementing such strategies prior to, during and after the legislation is developed and implemented
- involving community and advocacy groups in developing and delivering education and training resources
- cultural awareness, sensitivity, anti-discrimination and anti-harassment training for employers and workers at all levels
- access to appropriate language training and skills training for designated group members.

It was consistently recommended that the government co-ordinate and integrate existing educational resources related to training, employment, human rights and employment equity, and make it easier for workers, unions and employers to obtain these resources. A central clearing-house model was recommended. There was strong support for "one-stop" access to information and other resources on the implementation of the legislation and on the development and implementation of measures.

■ Employment Equity and Economic Renewal

"Employers who say 'Well, we can't undertake employment equity now because of the economic times' are putting themselves in a kind of jeopardy because there's a very quick response to that, and that is 'Where were you in the boom times?'"

INDIVIDUAL EMPLOYMENT EQUITY PRACTITIONER

Private and broader public sector employers identified the need for cost-effective implementation of the legislation. It was recognized by employers, unions and designated groups that there will be costs associated with employment equity, and that these costs should not place an undue burden on either government or employers.

However, it was widely recognized that there also are significant social and economic costs attached to not eliminating barriers to employment and advancement for designated group members. Many employers identified making full use of all Ontario's human resources as essential to maintaining competitiveness in the global economy.

Two recommendations were heard often:

- employment equity legislation should not result in duplication of existing government mandates, resources, services and structures, and
- requirements for implementing legislation should be clearly defined and understood by all those involved to prevent delays and make implementation easier.

■ 8. LOOKING TOWARD THE FUTURE

This consultation report cannot fully capture the intensity of the feelings and the poignancy of the stories which people from all across Ontario shared with us. The hard work of the many associations and individuals we met during the consultations is reflected in their detailed analysis of problems, their recounting of personal and group experiences, and their development of forceful recommendations.

The public hearings, the forums and the on-site community visits allowed us to better understand the harm caused by discrimination in even its most subtle forms. At the same time, some of the presentations demonstrated to us the shared satisfaction of working in partnerships to overcome mutual distrust and create opportunities for common growth. At many of the consultation events, participants were able to forge new links between employers, unions, and group representatives as well as between different designated group members.

It is vitally important that as we plan for employment equity, we plan to make it effective for all members of designated groups. An important indicator of our success will be how much employment equity benefits those who need it most, those members of designated groups who face the most obstacles and the hardest challenges. Employment equity will only have partly succeeded if only those members of designated groups who are the most qualified and the most talented are able to take their rightful place in the workforce, as important as this is.

In the end, our ability to accept and accommodate differences in the workplace will be a valuable measure of our progress. We know that our work is just beginning.

■ 9. APPENDICES

■ APPENDIX A: THE CONSULTATIVE PROCESS

The Employment Equity Commissioner heard or read hundreds of presentations by equity seekers, employers, concerned community groups, employment equity practitioners, unions, professional associations, individuals and others.

Whether individual stories, detailed written submissions, or informal discussions, these consultations provided clear evidence of the wish of the people of Ontario for employment equity. While there were many differences on the ways and means, on the timing, on the details of implementation, there was no disagreement that employment equity must become part of the fabric of life in Ontario.

Discussion Paper

Before introducing employment equity legislation, the Government of Ontario wished to consult with the people about the implementation of employment equity.

The Employment Equity Commissioner released a 60-page discussion paper "Working Towards Equality" in November 1991. The paper was widely distributed to employers, designated group members, unions, community groups and other interested groups and individuals, and provided a framework for the different kinds of consultations to follow.

Public Hearings

Public hearings were held in nine cities across Ontario from December 1991 to February 1992. Hearings were held in Windsor, London, Hamilton, Thunder Bay, Sudbury, Timmins, Ottawa, Kingston, and metropolitan Toronto. In Sudbury, Timmins and Ottawa, separate hearings were also held in French, and simultaneous French/English translation was provided at all public

hearings and forums. Interpreters for the deaf and hearing impaired were also available as needed.

Public hearings, public forums and on-site community visits were held in the cities visited. Public hearings were formal invitation-only presentations. Public forums were informal evening community meetings to allow anyone to speak to issues about employment equity. In addition, on-site community visits were made to educational and training facilities, community and advocacy programs, social service providers and private sector businesses. These visits ensured that difficult-to-reach groups would be able to provide input into the consultations.

Participants included representatives from designated groups, private sector employers, unions, the public and broader public sectors, community or advocacy groups, professional associations, employment equity practitioners, the Francophone community, the lesbian and gay men community, and other interested groups and individuals. Over 400 written briefs were submitted to the consultations.

A complete listing of the public hearings and meetings, and groups and individuals presenting or submitting written briefs can be found in the Appendices. Transcripts and executive summaries were made of all presentations in all public hearings and public forums, including discussions between the Commissioner and the presenting organization or individual.

Joint Initiatives

Joint Initiatives was a program designed and initiated by the Employment Equity Commissioner in order to enhance the consultation process. Twenty-five organizations from the four designated groups, youth, business and labour were chosen to participate.

There were four objectives met by the Joint Initiatives program:

- to build partnerships and promote communications among designated groups and others concerned with employment equity
- to consult with designated groups in culturally sensitive and appropriate ways

- to provide designated groups with resources in order to enhance their participation in the consultation process, and
- to develop employment equity resources which included the production of educational materials in accessible formats, organization of networks throughout the province, and group recommendations and reports.

Other Consultations

In addition, there were other specialized consultations which were carried out:

- Informal meetings with Aboriginal communities were held to encourage their participation.
- Special consultations with the construction industry addressed the unique concerns of this industry.
- A mail survey including telephone interviews and small group discussions was designed to encourage the participation of those who are traditionally hard to reach.
- Technical seminars were held focusing on data collection, workers' participation and compliance and enforcement.

APPENDIX B:

SUBMISSIONS TO THE PUBLIC CONSULTATIONS

Access Better Living
Action-Éducation Femmes Ontario
ACTRA Women's Committee
Adam and Sears (Individuals)
Adapt-Able Design
AfriCanadian Youth
Afro-Canadian Caribbean Association
Alliance for Employment Equity
Anti-Racist Multicultural Educators Network of Ontario
Arnell Branch, Women's Institute
Arsenault, Mike
Artemis Consultants
Association canadienne des Francophones d'Afrique
Association canadienne-française de l'Ontario (Provinciale)
Association canadienne-française de l'Ontario du Grand Sudbury
Association canadienne-française de l'Ontario—Hamilton
Association canadienne-française de l'Ontario—Kingston
Association canadienne-française de l'Ontario—London
Association canadienne-française de l'Ontario—Windsor Essex
Association communautaire des africain(e)s canadien(ne)s de la Capitale nationale
Association des Camérounais de Toronto
Association des enseignants et enseignantes franco-ontariens
Association des étudiants francophones de l'université Laurentienne
Association des femmes noires de l'Ontario
Association des juristes d'expression française de l'Ontario
Association des professeurs francophones des collèges ontariens
Association des sourds et muets de l'Ontario
Association for Persons with Physical Disabilities
Association française des conseils scolaires de l'Ontario
Association franco-ontarienne des conseils d'écoles catholiques
Association interculturelle franco-ontarienne
Association multiculturelle francophone de l'Ontario
Association of Black Employees of Ontario Hydro
Association of Lesbians and Gays of Ottawa
Association of Municipalities of Ontario
Association of Professional Placement Agencies and Consultants
Atkinson, William
Baar, Ellen
Baker and McKenzie, Omnibus Consulting Inc., Price Waterhouse
Batchelor, Professor Barry
Bates, Dr. K.
Bessey, Vanessa

Black Business and Professional Association
 Blind of Ontario Organization with Self-Help
 Brock University (St. Catharines)
 Brunet, Beverly Jean
 Business and Professional Women's Clubs of Ont. (Sault Ste Marie)
 Business Consortium on Employment Equity
 Cachon, Jean-Charles
 Caisse populaire
 Cambrian College
 CAMI Automotive Inc. (Ingersoll)
 Canada Sri Lanka Association
 Canadian Alliance for Visible Minorities
 Canadian Association of Women Executives and Entrepreneurs
 Canadian Auto Workers' Association—Local 444
 Canadian Auto Workers' Union—Local 27
 Canadian Auto Workers' Union, Toronto
 Canadian Civil Liberties Association
 Canadian Council for Racial Harmony
 Canadian Daily Newspaper Association
 Canadian Ethnocultural Council
 Canadian Federation of Independent Business
 Canadian Federation of Independent Grocers
 Canadian General Tower Limited
 Canadian Hearing Society, Hamilton
 Canadian Hearing Society, Kingston
 Canadian Hearing Society, Sudbury
 Canadian Hearing Society, Toronto
 Canadian Human Rights Commission
 Canadian Manufacturers' Association
 Canadian Mental Health Association
 Canadian National Institute for the Blind, Timmins
 Canadian National Institute for the Blind, Toronto
 Canadian Paraplegic Association
 Canadian Union of Educational Workers
 Canadian Union of Public Employees, Local 1000, Ontario Division
 Canadian Union of Public Employees, Local 543
 Canon Canada Inc.
 Capell, Antony
 Capsco
 Caribbean African Multicultural Association of Canada
 Carleton Board of Education
 Carleton University
 Carty, Gilbert
 Case, Frederick Ivor
 Catholic Immigration Centre
 Central Algoma Women Teachers' Association (Bruce Mines)

Centre Alpha de Timmins
 Centre for Individual Rights
 Centre for Spanish Speaking Peoples
 Centretown Community Health Centre
 Chanda, Mutale
 Chinese Canadian National Council
 Christian Labour Association of Canada
 Chrysler
 Citizen Advocacy (Windsor-Essex)
 City of Ottawa
 City of Ottawa, Advisory Committee on Visible Minorities
 City of Toronto
 City of Windsor
 Coalition des groupes francophones
 Coalition for Lesbian and Gay Rights in Ontario
 Coalition of Visible Minority Women
 Cominco (Vancouver)
 Comité d'encadrement pédagogique des élèves de race noire
 Community Resources Consultants of Toronto
 Confederation College (CEEE)
 Congress of Black Women of Canada, Hamilton Chapter
 Congress of Black Women of Canada, Sudbury Chapter
 Congress of Black Women of Canada, Toronto Chapter
 Conseil de planification sociale d'Ottawa-Carleton
 Conseil des écoles françaises de la communauté urbaine de Toronto (CEFCUT)
 Conseil des écoles séparées catholique du district de Timmins
 Construction Employers Coordinating Council of Ontario
 Consumers Gas Company Limited
 Cornish Roland
 COSTI
 Council of Disabled of Ottawa-Carleton
 Council of Ontario Construction Association
 Council of Ontario Universities
 Credit Union Central of Ontario
 Davis, T.
 Deen, Naz
 Differently Abled Resource Centre
 Direction Jeunesse (Provincial)
 Direction-Jeunesse (Est)
 Direction-Jeunesse, Timmins
 Disabled People for Employment Equity
 Disabled Women's Network
 Dofasco Inc.
 Dow Chemical Canada Inc.
 Down Syndrome Association National Capital Region
 Drake, Holly L.

Eastern Ontario Education Network Region Employment Equity Practitioners
 Energy & Chemical Workers' Union
 English Section of Stormont/Dundas/Glengarry Catholic School Board
 Epilepsy Association of Metropolitan Toronto
 Essex County Association for Community Living (Essex)
 Essex Roman Catholic Separate School Board
 Ethnocultural Council of London
 Etobicoke Mental Health Services Agency
 Evans, Mark
 Extendicare Health Services (Markham)
 Falconbridge Ltd.
 Fanshawe College, Deaf Community of London
 Federated Women's Institute of Ontario
 Federation of Chinese Canadians in Scarborough
 Federation of Temporary Help Services
 Federation of Women Teachers' Association of Ontario
 Fédération des femmes canadiennes-françaises de l'Ontario (Provincial)
 Fédération des femmes canadiennes-françaises, Timmins
 Finlayson, D.
 Frontenac County Board of Education
 Gandalf Data Limited
 Gatien Law Firm
 General Contractors' Association of Ottawa
 General Motors Canada Limited
 Goulding, John F.
 Government Consulting Group
 Grey County Board of Education (Markdale)
 Grocery Products Manufacturers of Canada
 Haites, Eric; Patterson, Anne & David; Smith, Janet and Verschuren, Annette
 Haldimand Women Teachers' Association
 Halton Women Teachers' Association (Burlington)
 Hamilton and District Chamber of Commerce
 Hamilton and District Council of Women
 Hamilton and District Labour Council, Human Rights Women's Committee
 Hamilton Gay and Lesbian Alliance
 Hamilton Regional Indian Centre
 Hamilton Status of Women Sub-Committee
 Hamilton Wentworth Employment Consortium
 Handicapped Action Group Inc.
 HARAMBEE Association
 Harminc, Katherine and White, Jeffrey
 Harris, Dr.R. (Waterloo)
 Hart, John
 Hay Management Consultants
 Health Rights Coalition
 Hemingway, John

Hewitt Associates
 Hindu Federation of Canada
 Hiram Walker
 Homophile Association of London Ontario
 Hôtel Dieu Hospital (Brooks)
 Hueglin, J.F. (Niagara Falls)
 Human Resources Professionals of London and District
 Human Resources Professionals' Association of Ontario
 Huron Women Teachers' Association
 ICI Canada Inc.
 Immigrant and Visible Minority Women's Organization
 Immigrant Women Job Placement Centre
 Imperial Oil Limited
 INCO Limited
 Independent Contractors' Group of Ontario
 Independent Options Network Consulting Group
 Industrial Trades Centre for Women of Sudbury
 Information Technology Association of Canada
 Interagency Coalition for the Disabled
 International Brotherhood of Electrical Workers
 Jain, Harish
 Jennings, Darrell
 Joseph, Camille
 K.C. Maclure Habilitation Centre Inc.
 Kabagema, Didier
 Keene, Judith
 Kenora Sexual Assault Centre (Kenora)
 Kenora Women's Place
 Kenora's Physically Challenged Action Network
 Kent Industrial Training Advisory Committee (Chatham)
 Kingston and District Immigrant Services
 Kingston and District Labour Council
 Kingston Employment and Youth Services Inc.
 Kingston Employment Equity Network
 L.D. Foreman & Associates Ltd.
 La Cité collégiale
 Labour Council of Metropolitan Toronto & York Region
 Labourers' International Union of North America (Local 527)
 Labourers' International Union of North America, Ontario District Council
 Lacis, Rudy
 Lakehead Association for Community Living
 Lakehead Roman Catholic Separate School Board
 Lakehead Women Teachers' Association
 Lambton County Board of Education (Sarnia)
 Lambton County Roman Catholic Separate School Board (London)
 Lambton County Roman Catholic Separate School Board (Sarnia)

Laurentian Financial Services
 Laurentian University Education and Employment Equity
 Laurentian University Special Needs
 Leach, Kerry
 League for Human Rights of B'Nai Brith Canada
 Learning Disabilities Association of Ontario
 Legal Assistance of Windsor
 Lenny, Walter
 Lesbian and Gay Association
 Lily Cups Inc.
 Listening to London Task Force
 London Chamber of Commerce
 London Cross Cultural Learner Centre
 London Employment Equity Network
 London Women Teachers' Association
 Lorioz, Jacques
 Lostracco, Joanne T. (Carlisle)
 Lutheran Life Insurance Society of Canada
 MacDonald, Prof. Gayle
 Magna International
 Management Board Secretariat, Ontario Public Service
 Manulife Financial
 Marsden, Ann
 Maurer, Charles E. (Dundas)
 McCormack, Bob
 McHale, Jerry
 McIntyre, Dan
 McMaster University Co-ordinator for the Disabled
 McMaster University Faculty Association
 McMaster University Office of Employment Equity
 Metro Toronto School Board
 Metropolitan Toronto Housing Authority
 Meyer, W.
 Middlesex County Board of Education (Hyde Park)
 Miler, Lucile
 Ministerial Alliance of Windsor-Essex County
 Ministry of Consumer and Commercial Relations
 Ministry of Government Services
 Ministry of Housing
 Mohawk Nation Employment Office
 Monroe Auto Equipment Co. of Canada (Owen Sound)
 Motor Vehicle Manufacturers' Association
 Multicultural Association of Northwestern Ontario
 Multicultural Council of Professional Women
 Municipal Employment Equity Network
 Municipality of Metropolitan Toronto

Mutual Life of Canada (Waterloo)
 N'Swakamok Native Friendship Centre
 Nabisco Brands Limited
 National Aboriginal Network on Disability
 National Action Committee on the Status of Women
 National Association of Canadians of Origins in India
 National Capital Alliance on Race Relations
 National Council of Canadian Filipino Associations, Ontario Chapters
 Native Canadian Centre of Toronto
 NDP Lesbian, Gay and Bisexual Caucus
 Ng, P.F.
 Nokee Kwe Occupational Skills Development Inc.
 North Bay and Area Equity Network Committee (North Bay)
 North York Board of Education
 North York Women Teachers' Association
 Northeastern Ontario Visible Minority Network
 Northern College Women's Access to Apprenticeship (Kenora)
 Northern Ontario Joint Council Retail, Wholesale and Department Stores Union
 Northwestern Ontario Employment Equity Network
 Northwestern Ontario Women's Decade Council
 Novacor Chemicals (Canada) Ltd. (Sarnia)
 Older Women's Network, Metro Toronto and Area Council
 Omnibus Consulting
 Ontario Advisory Council on Disability Issues
 Ontario Association for Community Living
 Ontario Chamber of Commerce
 Ontario Coalition for Better Child Care
 Ontario Committee on Non-Traditional Occupations for Women
 Ontario Confederation of University Faculty Association
 Ontario Council of Agencies Serving Immigrants
 Ontario English Catholic Teachers' Association
 Ontario English Teachers' Association
 Ontario Federation of Labour, Timmins
 Ontario Federation of Labour, Windsor
 Ontario Friends of Schizophrenics
 Ontario Hospital Association
 Ontario Human Rights Commission
 Ontario Hydro Employees Union
 Ontario Hydro, Employment Equity Division
 Ontario Hydro Voluntary ad hoc Employment Equity Committee
 Ontario March of Dimes, Thunder Bay
 Ontario March of Dimes, Timmins
 Ontario March of Dimes, Toronto
 Ontario Metis and Aboriginal Association
 Ontario Native Employment Equity Circle
 Ontario Nurses' Association

Ontario Nursing Home Association
 Ontario Public School Boards' Association
 Ontario Public Service Advisory Group on Employ. Equity for Persons with
 Disabilities
 Ontario Public Service Employees Union
 Ontario Public Service Employees Union (Kenora)
 Ontario Public Service Employees Union, Local 436
 Ontario Public Service Employees Union, Local 503
 Ontario Public Service Employees Union, Local 619
 Ontario Public Service Employment Equity Council
 Ontario Public Service Network on Employment Equity for Racial Minorities
 Ontario Public Supervisory Officials' Association
 Ontario Public Supervisory Officials' Association (Oakville)
 Ontario Restaurant Association
 Ontario Secondary School Teachers' Association
 Ontario Secondary School Teachers' Federation, Windsor
 Ontario Separate School Trustees' Association
 ORC Canada
 Ottawa and District Labour Council
 Ottawa Board of Education
 Ottawa Elementary Vice-Principals' Association
 Ottawa-Carleton Immigrant Services Organization
 Ouellette-Tries, Huguette
 Path Employment Services for the Disabled
 Peat Marwick Stevenson & Kellogg
 Peel Board of Education
 Peel Multicultural Council
 Personal Counselling & Development Services
 Persons United for Self-Help in Ontario
 Persons United for Self-Help Northwestern Region
 Persons United for Self-Help Southwestern Region
 Petro Canada Products
 Pillion, Vincent (Beamsville)
 Placer Dome Inc.
 Porcupine District Labour Council
 Price Waterhouse
 Professional Support Group
 Provincial Building and Construction Trades Council of Ontario
 Provincial Committee on Equity in Education and Employment
 Provincial Council of Women of Ontario
 Queen's University (Dr. Baumgart)
 Queen's University (Dr. Geramita)
 Raetzo, Henry
 RCK & Associates
 Rea, Orlene
 Reed Stenhouse

Reference Group of Francophones in the Ontario Public Service
 Reference Group on Employment Equity for Recommendations of Women in
 the OPS
 Regional Multicultural Youth Council
 Regional Multicultural Youth Council (Committee for Cultural Equality)
 Regional Municipality of Haldimand-Norfolk
 Renfrew County Women Teachers' Association (Pembroke)
 Réseau ontarien des services de garde francophones
 Retail Council of Canada
 Rigby, Michael G. (St Anns)
 Roberts, Jeannette (Kinburn)
 Roman Catholic Diocesan Office of the Refugee Services
 Royal Oak Mines Inc.
 Sartori, Lidia
 Scarborough Women Teachers' Association
 Section de langue française des écoles catholiques des comtés Stormont, Dundas
 et Glengarry
 Sedgwick James Consulting Group
 Service Employees International Union
 Shell, Brian
 Shell Canada Limited
 Shoub, Avrum
 Signfest Society
 Sinclair, Gordon
 Skeptical
 Society of Ontario Hydro Professional & Administrative Employees
 Society of the Plastics Industry of Canada
 South Asians In Ontario Public Service
 Statistics Canada
 Stone, Ken
 Students of Law for the Advancement of Minorities
 Sudbury and District Association for Community Living
 Sudbury and District Chamber of Commerce
 Sudbury and District Labour Council
 Sudbury Multicultural Folk/Arts Association
 Sudbury Women Teachers' Association
 Sun Life Assurance Company of Canada
 Sunatori, Go Simon
 Tanner, Ivan (Vars)
 Teachers' Federation of Carleton
 Theywill Associates
 Thorncliffe Neighbourhood Office
 Thunder Bay and District Labour Council
 Thunder Bay Centre of the Deaf
 Thunder Bay Chamber of Commerce
 Thunder Bay Injured Workers Support Group

Thunder Bay Multicultural Association
 Timmins Board of Education
 Timmins Chamber of Commerce
 Timmins Learning Centre
 Toronto Board of Education
 Toronto Central Building Trades Council
 Toronto Mayor's Committee on Community and Race Relations
 Toronto Peel Post Polio Committee
 Toronto Women in Film and Television
 Tourette Syndrome Foundation
 Tourism Ontario Inc.
 Travaglini, Peter L.
 Union culturelle des franco-ontariennes
 United Electrical, Radio & Machine Workers of Canada
 United Food and Commercial Workers International Union Canada
 United Food and Commercial Workers International Union Canada, Local 175
 United Food and Commercial Workers International Union, Local 175/633
 United Steelworkers of America (District 6)
 United Steelworkers of America-Women's Committee Local 6500
 United Way of Greater London
 Université d'Ottawa
 University of Guelph
 University of Ottawa Education Equity Program
 University of Windsor—Dr. Quinsey
 University of Windsor Education and Employment Equity
 University of Windsor, The Non-affiliated Action Group for Equity
 Upjohn Company of Canada
 Urban Alliance on Race Relations
 UTDC Inc.—CAN CAR Thunder Bay Works
 Van Berkel, Pieter
 Victorian Order of Nurses Hamilton-Wentworth Branch
 Vocational Rehabilitation Task Force
 Wakeynagun Native Non-profit Home Inc.
 Walker, Roberta
 Warner Lambert Canada Inc. (Video only)
 Waterloo County Women Teachers' Association (Kitchener)
 Waterloo Region Education and Employment Equity Network (Waterloo)
 Wells, Martha
 Wentworth County Board of Education (Ancaster)
 Wentworth Women Teachers' Association
 West End Community Ventures
 Whyte, Susan
 William M. Mercer Limited
 Williams, Jasmine
 Windsor and District Chamber of Commerce
 Windsor Black Coalition

Windsor Board of Education
Windsor Essex Bilingual Clinic
Windsor Essex County Equity Network
Windsor Women Teachers' Association
Windsor Women's Coalition
Winklemaier, Lynn
Woghiren, Cromwell
Women Teachers' Association of Ottawa
Women's Access to Apprenticeship (Belleville)
Women's Access to Apprenticeship (Kenora)
Women's Bureau (Canadian Labour Congress)
Women's Enterprise Skills Training
Women's Incentive Centre
Women's Place
Woodgreen Community Centre of Toronto
Workers' Compensation Board
Wylie, Margaret
York University
Young, Paul

APPENDIX C:

COVERAGE: NUMBER AND PERCENTAGE OF EMPLOYERS AND EMPLOYEES

